

LAND USE REVIEW APPLICATION FOR:

SCHOLLS VALLEY HEIGHTS

A 238 Unit Planned Unit Development (139 Single-Family Detached Units, & 99 Single-Family Attached Units), Including a Comprehensive Plan Amendment to Adjust Plan Designations, a Zoning Map Amendment to Allocate Zoning Districts, a 238-Lot Land Division, a Concurrent 7-Lot Land Division, a Tree Plan Two, & a Sidewalk Design Modification.

September 2017

REVISED DECEMBER 2017

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FACT SHEET

Project Name: Scholls Valley Heights

Project Requests: A 238 Unit Planned Unit Development (139 Single-Family Detached Units, & 99 Single-Family Attached Units), Including a Comprehensive Plan Amendment to Adjust Plan Designations, a Zoning Map Amendment to Allocate Zoning Districts, a 238-Lot Land Division, a Concurrent 7-Lot Land Division, a Tree Plan Two, and a Sidewalk Design Modification.

Requested Actions:

1. Type III: Comprehensive Plan Amendment
2. Type III: Zoning Map Amendment
3. Type II: Preliminary Land Division (7 Lots)
4. TYPE II: Preliminary Land Division (238 Lots)
5. Type III: Conditional Use – Planned Unit Development
6. Type II: Tree Plan Two
7. Type I: Sidewalk Design Modification

Tax Map: 2S1 06

Tax Lots: 301 & 302

Site Addresses: 18485 SW Scholls Ferry Rd, Beaverton OR, 97007

Site Size: 36.5 acres

Location: On the north side of SW Scholls Ferry Road, approximately 1,150 feet east of SW Tile Flat Road (SW Strobel Road).

Comprehensive Plan: Standard Density Residential and Medium Density Residential

Zoning: R2, R4, R5, and R7

Pre-Application Meeting Date: November 30, 2016 (PA2016-0063)

Neighborhood Meeting Date: March 15, 2017
October 18, 2017

PROJECT CONCEPT

Conceptually, the applicant desires to develop a vibrant residential neighborhood including different housing styles and sizes, multiple open spaces, an attractive pedestrian environment and various site features and amenities including preservation of natural resources. Densities and housing types generally consist of medium density attached unit development in the northwest corner, adjacent to the proposed collector street, transitioning to standard density detached single family residential development to the south and east.

Single Family Detached Housing

One hundred and thirty-nine Standard Lot Detached Single-Family units are proposed to be located within the R4, R5, and R7 Zoning Districts. This housing type has been proposed to accommodate a variety of lot sizes and widths, with lot widths at the street ranging from approximately 32 feet to 79 feet, in order to allow a variety of housing designs. Single-family detached housing designs will provide articulation and variety through the cohesive use of permanent features such as glazing, recessed entrances, changes in material types, dormers, porch details, alcoves, balconies or bays.

Single Family Attached Housing

Ninety-Nine Single Family Attached units are proposed to be located within the R2 Zoning District, adjacent to the collector and in proximity to the northern property line. These single-family attached units will be housed within a variety of tri-plex, four-plex, and five-plex style townhomes, creating additional housing variety within the development. Additionally, 62 of the attached units will be rear/alley loaded, while 37 attached units will be front loaded. The applicant has elected to withdraw the application for Design Review II, and as such, no attached unit elevations are required. However, it is noted that the applicant has submitted indicative elevations in order to support the proposed Planned Development, and the requested unit types, setbacks, and heights. Following preliminary approval, the applicant acknowledges that a Design Review application will be required following the provisions of Sections 40.20. and 60.05. of the Development Code of the City of Beaverton, prior to construction of any attached units within the development.

Amenities

A variety of amenities are planned to address both passive and active recreation needs. The amenities are available to all of the residents of this community. An active open space area of approximately 14,330 square feet is proposed to be located within Tract F in the north-western portion of the site. Programming for this area includes a half-court basketball facility, benches, and a covered picnic area, with attractive landscaping. In the south-eastern corner of the site, a linear open space area is provided through Tract B, with Tracts A and C located to the north and west accommodating stormwater facilities. Within Tract B, the multi-use trail identified in Figure 11: Community Plan Bicycle & Pedestrian Framework of the South Cooper Mountain Community Plan (SCMCP) on the site is proposed, providing for further active recreational opportunities on the site.

GENERAL PROJECT INFORMATION

Streets:

The site fronts along a proposed collector street running east-west along the site's northern boundary, to be named as an extension of SW Barrows Road. The collector is a City street and improvements will comply with City standards as shown on the submitted plans. Two neighborhood route streets extend north-south through the site, intersecting in the approximate center before extending south to NW Scholls Ferry Road along the approximate existing alignment of NW Strobel Road. Additional internal local streets will provide neighborhood access and circulation.

Sanitary Sewer:

No public sanitary facilities currently serve the site. Sanitary sewer will be brought to the site with development to the south, to be located within SW Strobel Road and The Ridge at South Cooper Mountain (CPA2017-0002 / ZMA2017-0002 / LD2017-0002 / CU2017-0003 / DR2017-0010 / TP2017-0005). All sanitary services from the site will be directed to the south for connection to the public system, which will gravity-flow to the new CWS Pump Station and force main in River Terrace.

Storm Drainage:

Storm Drainage will be captured through a series of laterals, catch basins and pipes. For the majority of the site, stormwater is primarily being directed to and treated within two onsite stormwater facilities, located within Tracts A and C. In addition, approximately 17 units and associated public improvements will be directed to the stormwater facility located within Tract H of The Ridge at South Cooper Mountain (CPA2017-0002 / ZMA2017-0002 / LD2017-0002 / CU2017-0003 / DR2017-0010 / TP2017-0005). The agreement relating to the use of this facility is included within Application Binder 1 of 2 (See Access and Utilities Tab: Sale Agreement and Receipt for Earnest Monies: Exhibit D). In addition, The Ridge at South Cooper Mountain Preliminary Drainage Report (Single-Family) and The Ridge at South Cooper Mountain Multi-Family Preliminary Drainage Report are included within Application Binder 2 of 2.

Water:

No public water facilities currently serve the site. New public water service will be extended from the public line to be constructed within SW Strobel Road as part of The Ridge at South Cooper Mountain development. For further details, please see Sheet P5.0 – Preliminary Utility Plan North from The Ridge at Cooper Mountain, which is included within Application Binder 2 of 2, and Sheet 6.2 of 55 – Preliminary Utilities and Streets Plan of this application set, which is also included within Application Binder 2 of 2.

VICINITY & SITE INFORMATION

Site Location

On the north side of SW Scholls Ferry Road, approximately 1,150 feet east of SW Tile Flat Road (SW Strobel Road).

Existing Uses

The predominant use of the site currently involves pastoral farming, including the raising of bison. There is one existing dwelling, and multiple outbuildings on the site that support this use. All existing structures will be removed with this development.

Topography

The site is a large flag lot and contains two high points. The highest point is located in the southwest corner of the “flag” portion of the site where the existing house sits now at an approximate elevation of 377 feet. The second high point is located in the northern portion of the “flag” portion of the site with an approximate elevation of 371 feet. In general, the site is hilly with moderate to steep slopes. The site grades range from flat to 2% grades around the tops of the hills, which then fall off to natural slopes of approximately 8-22% with a few localized man-made slopes reaching maximum grades of approximately 2:1. The low point is in the southeast corner at an approximate elevation of 289 feet.

Vegetation

The majority of the site is dominated by pasture grasses, primarily creeping bentgrass (*Agrostis stolonifera*, FAC) and tall fescue (*Schedonorus arundinaceus*, FAC), consistent with the primary use of the site for pastoral farming (bison). Other common species on-site include Canadian thistle (*Cirsium arvense*, FAC), bull thistle (*Cirsium vulgare*, FACU), ox eye daisy (*Leucanthemum vulgare*, FACU), common velvet grass (*Holcus lanatus*, FAC), and blue wild rye (*Elymus glaucus*, FACU).

The forested portion of the site starts at the bottom of the slope near the southeast property boundary and extends off-site to the south and east. The forest community is predominantly native and consists of upland canopy cover of Oregon white oak (*Quercus garryana*, FACU) and transitions to Oregon ash (*Fraxinus latifolia*, FACW) in the wetland.

Surrounding Land Uses

The subject site is immediately surrounded by undeveloped property located within the South Cooper Mountain Community Plan (SCMCP) area. While the land is currently in rural uses, as with the subject property, these areas are expected to be developed to urban densities in the short term, with Comprehensive Plan Designations of Standard Density and Medium Density.

To the north, south and west in the vicinity of the site, land is currently outside of the Urban Growth Boundary, with County rural land use designations and land uses remaining in place. It is noted, however, that these areas are predominantly identified as Urban Reserves, and are therefore slated for future inclusion within the Urban Growth Boundary. Further, land to the north is identified for future urban development within the South Cooper Mountain Concept Plan Area, and is identified as being part of the same overall South Cooper Mountain Annexation Area and Lowlands neighborhood as the subject site.

Public Transportation

The subject site is located outside of the TriMet Service District boundaries, the nearest transit stop (Stop ID 9174) being located approximately 2 miles by road to the east on SW Scholls Ferry Road, serving Line 92 (South Beaverton Express). As such, it is considered that the site is not served by transit. However, it is noted that the South Cooper Mountain Concept Plan focuses its highest density urban neighborhood designations near the high school and Main Street - in the southern part of the planning area - as one strategy to help the area support transit service in the future. The plan also anticipates longer-term, limited-stop commuter-oriented transit service from Sherwood to Hillsboro along Roy Rogers Road and 175th Avenue. With the future extension of the east-west collector on the north property line, the subject site will be located within ¼ mile of SW 175th Avenue, and would at that time be considered to be served by transit.

COMPREHENSIVE PLAN FOR THE CITY OF BEAVERTON

VOLUME I: CITY OF BEAVERTON COMPREHENSIVE PLAN

CHAPTER 1 - COMPREHENSIVE PLAN AMENDMENT PROCEDURES

1.1 AMENDMENT INITIATION.

Amendments to the Comprehensive Plan may be initiated by City Council, the Planning Commission, the Mayor, the Community Development Director, or the Engineering Director at any time. Landowners may also initiate an amendment to the Land Use Map pertaining only to their property at any time.

1.1.2 Property Owner-initiated Amendments

Amendment requests shall be submitted to the Community Development Director for preparation and analysis for a Planning Commission public hearing. The Planning Commission and City Council reserve the right to approve, approve with conditions, or deny any specific request for amendment in accordance with the City's policies and procedures.

RESPONSE: This application includes a request for a property owner initiated amendment in order to adjust the alignment of Comprehensive Plan Designations within the boundaries of the subject site.

1.3 AMENDMENT PROCEDURAL CATEGORIES

Comprehensive Plan Amendments fall into five general categories: Legislative, Quasi-Judicial, Historic Landmark, District and Tree designation removal, Non-Discretionary, and Statewide Planning Goal 5 Inventory Document Amendments.

***Quasi-Judicial Amendments** are amendments to a Land Use Map designation as it applies to specific parcels or that applies to a small number of individuals or properties or locations.*

RESPONSE: The application shall be processed through a Quasi-Judicial process, as an amendment within the boundaries of the subject site only.

1.5 CRITERIA FOR AMENDING THE COMPREHENSIVE PLAN

The adoption by the City Council of any amendment to the Plan shall be supported by findings of fact, based on the record, that demonstrate the criteria of this Section have been met. The City Council and Planning Commission may incorporate by reference facts, findings, reasons, and conclusions proposed by the City staff or others into their decision.

1.5.1 Criteria for Legislative and Quasi-judicial Comprehensive Plan Amendments

- A. *The proposed amendment is consistent and compatible with relevant Statewide Planning Goals and related Oregon Administrative Rules;*

RESPONSE: The proposed amendment to the Comprehensive Plan Designations is minor in nature, and serves to relocate the boundary between the Standard Density and Medium Density designations on the site to better align with existing topography and proposed street layouts (See site plans, Sheet 1.0 of 55). This allows for a more cohesive neighborhood design, and allows for a more natural transition between differing land use densities. Overall, the density transect remains the same, and equal land areas are exchanged to ensure no changes to minimum and maximum densities within the site. Given the minor nature of the amendment, compliance and compatibility with the Statewide Planning Goals and related OAR will not be impacted by the proposed Comprehensive Plan Amendment.

B. The proposed amendment is consistent and compatible with the applicable Titles of the Metro Urban Growth Management Functional Plan and the Regional Transportation Plan;

RESPONSE: The proposed amendment to the Comprehensive Plan Designations is minor in nature, and serves to relocate the boundary between the Standard Density and Medium Density designations on the site to better align with existing topography and proposed street layouts (See site plans, Sheet 1.0 of 55). No alterations to or abutting the Urban Growth Boundary are proposed, and no street alignments or functional classifications identified on the Regional Transportation Plan are altered by the amendment. Given the minor nature of the amendment, compliance and compatibility with the applicable Titles of the Metro Urban Growth Management Functional Plan and the Regional Transportation Plan will not be impacted by the proposed Comprehensive Plan Amendment.

C. The proposed amendment is consistent and compatible with the Comprehensive Plan and other applicable local plans; and

RESPONSE: As described above, the proposed amendment to the Comprehensive Plan Designations is minor in nature, and serves to relocate the boundary between the Standard Density and Medium Density designations on the site to better align with existing topography and proposed street layouts (See site plans, Sheet 1.0 of 55). This allows for a more cohesive neighborhood design, and allows for a more natural transition between differing land use densities. Overall, the density transect remains the same as that included within the South Cooper Mountain Community Plan, and equal land areas are exchanged to ensure no changes to minimum and maximum densities within the site are provided. Compliance with the requirements of the Comprehensive Plan for the City of Beaverton, the South Cooper Mountain Community Plan, and the Beaverton Development Code will not be impacted by the proposed Comprehensive Plan Amendment.

D. If the proposed amendment is to the Land Use Map, there is a demonstrated public need, which cannot be satisfied by other properties that now have the same designation as proposed by the amendment.

RESPONSE: The proposed amendment to the Comprehensive Plan Designations is minor in nature, and serves to relocate the boundary between the Standard Density and Medium Density designations on the site to better align with existing topography and proposed street layouts (See

site plans, Sheet 1.0 of 55). This allows for a more cohesive neighborhood design, and allows for a more natural transition between differing land use densities. Overall, the density transect remains the same, and equal land areas are exchanged to ensure no changes to minimum and maximum densities within the site. The site is a greenfield site brought into the UGB, and as such can be considered to provide necessary housing. No additional zoning districts are being introduced, therefore the request is compliant with this requirement.

CHAPTER 3 – LAND USES

3.13 RESIDENTIAL NEIGHBORHOOD DEVELOPMENT

3.13.1 Goal: Provide for the establishment and maintenance of safe, convenient, attractive and healthful places to live.

Policies:

- b) Encourage a variety of housing types in residential areas, by permitting or conditionally permitting any housing type (one, two or more, family dwellings) within any zoning district so long as the underlying residential density of the zoning district is met. Accessory dwelling units shall not be considered in the calculation of the underlying housing density.*

Action 1: *Adopt and apply land use regulations permitting mobile homes in mobile home parks or on individual lots within mobile home subdivision and requiring conformity to the density regulations of the underlying land use designation.*

RESPONSE: The application is consistent with the density requirements of the Comprehensive Plan, with a mix of R2, R4, R5, and R7 development including front loaded attached single-family units, rear loaded attached single-family units, and detached single-family units. No accessory dwelling units or mobile homes are proposed with this application.

- c) Require Planned Unit Development application procedures for projects proposing two or more families within the Low Density and Standard Density land use designations. Planned Unit Developments encourage flexibility in standards and provide a mechanism for staff to make adequate findings with respect to compatibility in size, scale, and dimension. Exceptions to this requirement are dwellings designed as primary units with an accessory dwelling unit, as specified in the Development Code.*

Action 1: *Adopt and apply regulations ensuring that home occupations are limited in scale within the Low Density and Standard Density Residential Neighborhood land use designations to businesses that do not display outward manifestations of a business. This includes limiting the number of customers visiting the site, signage, and number of employees.*

RESPONSE: The applicant is utilizing the planned development standards, as required by the SCMCP, to facilitate the development of attached single-family units, and detached single-

family units providing a variety of housing types, sizes, and design. The proposed Comprehensive Plan amendment serves to help ensure these housing types are developed in a manner which ensures compatibility of differing housing types in abutting zoning designations. No accessory dwelling units or home occupations are proposed as part of this application.

- d) Apply Residential Neighborhood designations (Low Density, Standard Density, Medium Density and High Density) consistent with the Metro 2040 Growth Concept Map and the City's housing target implementing strategy.*

<i>Residential Neighborhood Designations</i>	<i>Net Square Feet per Dwelling Unit</i>
<i>Low Density</i>	<i>10,000 – 12,500</i>
<i>Standard Density</i>	<i>5,000 – 8,750</i>
<i>Medium Density</i>	<i>2,000 – 4,999</i>
<i>High Density</i>	<i>1,000 – 1,250</i>

- e) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.*

RESPONSE: The subject site includes both Standard Density and Medium Density designations. The applicant proposes to amend the boundaries of these designations to allow for a more cohesive neighborhood design, and to allow for a more natural transition between differing land use densities. A Zoning Map amendment is also proposed to apply the applicable zoning districts per Table 2: Land Use Designations and Capacity Estimates of the SCMCP. Densities proposed for the site will be within the minimum and maximum density requirements pursuant to Section 20.25.05.

- g) Enhance the City's landscape through design measures considering the natural setting of the land and the character of existing residential neighborhoods.*

Action 1: *Adopt and apply land use regulations requiring residential development to provide public, semi-public, and/or private open space.*

RESPONSE: Open space will be provided with the development in accordance with the requirements of Chapter 60 of the Development Code. Identified wetland buffer areas located within the southeastern portion of the site will be located in an open space tract. This requirement is satisfied.

- i) Residential development, in compliance with regional mandates, shall achieve at least 80% of the maximum density allowed in the respective zoning districts as applied through 3.14 Comprehensive Plan and Zoning District Matrix.*

RESPONSE: As described above, a Zoning Map amendment is also proposed to apply the applicable zoning districts per Table 2: Land Use Designations and Capacity Estimates of the SCMCP. Densities proposed for the site will be within the minimum and maximum density requirements pursuant to Section 20.25.05.

STANDARD DENSITY RESIDENTIAL DEVELOPMENT:

3.13.3 Goal: *Establish Standard Density Residential areas to provide moderate sized lots for typical single family residences with private open space.*

Policies:

- a) *Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix to allow a variety of housing choices.*

Action 1: *In recognition of the urban/suburban character of Beaverton, the City shall eliminate the Residential Agriculture zoning district and apply appropriate zoning consistent with the Comprehensive Plan and Zoning District Matrix (3.14).*

RESPONSE: Within the Standard Density Residential portions of the site, the applicant will apply R5 and R7 zoning designations consistent with the Assumed Mix of Zones set by Table 2: Land Use Designations and Capacity Estimates, and Subsection 3.14. This policy is satisfied.

MEDIUM DENSITY RESIDENTIAL DEVELOPMENT:

3.13.4 Goal: *Establish Medium Density Residential areas to allow for single family attached and detached, and multiple-family developments.*

Policies:

- a) *Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix*

RESPONSE: Within the Medium Density Residential portions of the site, the applicant will apply R2 and R4 zoning designations consistent with the Assumed Mix of Zones set by Table 2: Land Use Designations and Capacity Estimates, and Subsection 3.14. This policy is satisfied.

3.14 COMPREHENSIVE PLAN AND ZONING DISTRICT MATRIX

The City's Comprehensive Plan provides the overall planning perspective for the City. Integrating state and regional mandates, the plan provides land use patterns that are further implemented through zoning. The following Matrix prescribes the relationship between the Comprehensive Plan land use designations and zoning districts. Compliance with the Comprehensive Plan is achieved through development application approval consistent with the regulations of the Development Code.

COMPREHENSIVE PLAN AND ZONING DISTRICT MATRIX	
<i>Comprehensive Plan Designation</i>	<i>Zoning District</i>
<i>Downtown Regional Center</i>	<i>RC-E, RC-OT, RC-TO</i>
<i>Washington Square Regional Center</i>	<i>C-WS, OI-WS</i>
<i>Station Community</i>	<i>SC-HDR, SC-MU, SC-E1, SC-E3, SC-S1</i>
<i>Town Center</i>	<i>TC-HDR, TC-MU</i>
<i>Main Street</i>	<i>Neighborhood Service, R1, R2</i>
<i>Corridor</i>	<i>General Commercial, Community Service, Neighborhood Service, R1, R2, R4, Corridor Commercial</i>
<i>Employment Areas</i>	<i>Office Industrial</i>
<i>Industrial</i>	<i>Industrial, Office Industrial</i>
<i>Neighborhood Residential (equivalent to Metro's Inner and Outer Neighborhood Design Types)</i>	
<i>Low Density</i>	<i>R10</i>
<i>Standard Density</i>	<i>R7, R5</i>
<i>Medium Density</i>	<i>R4, R2</i>
<i>High Density</i>	<i>R1</i>
<i>Any of the plan designations cited above</i>	<i>Institutional</i>

RESPONSE: As described above, within the Standard and Medium Density Residential portions of the site, the applicant will apply R5 and R7, and R2 and R4 zoning designations respectively, consistent with the Assumed Mix of Zones set by the SCMCP Table 2: Land Use Designations and Capacity Estimates, and Subsection 3.14. This policy is satisfied.

CHAPTER 4 – HOUSING

4.1 HOUSING SUPPLY

Goal 4.1.1 Provide an adequate supply of housing to meet future needs

Policies:

- a) Use available land within the city efficiently, encouraging new residential development to take advantage of allowed maximum densities where appropriate*
- e) Develop programs or strategies to improve Beaverton's jobs-housing balance, thereby reducing impacts on transportation infrastructure and the environment*
- f) Strive to meet the city's future housing demand within city limits, while coordinating with Washington County and Metro to assess future housing needs at a larger geographic scale, especially for detached single family units*

- g) Support UGB expansions and city boundary changes that consider the city's unique geopolitical boundaries and the availability of city and other urban services to help meet the city's identified housing needs*

RESPONSE: Development in the SCMCP Area effectively constitutes the City's implementation and realization of Goal 4.1.1, with particular regard to Policies a), e), f), g) identified above. This development will contribute to the addition of needed housing within the UGB and City of Beaverton boundaries, and include the provision of city and urban services.

4.2 HOUSING TYPE

Goal 4.2.1 *Provide a variety of housing types that meet the needs and preferences of residents*

Policies:

- a) Ensure that sufficient land is appropriately zoned to meet a full range of housing needs, including an adequate amount of detached single family housing to meet projected demand*
- f) Encourage the development of a variety of housing types within planned unit developments and other large projects, which can serve to improve the aesthetic character of the neighborhood and provide housing choices for different income levels*

RESPONSE: As described previously, within the Standard and Medium Density Residential portions of the site, the applicant will apply R5 and R7, and R2 and R4 zoning designations respectively, consistent with the Assumed Mix of Zones set by the SCMCP Table 2: Land Use Designations and Capacity Estimates, and Subsection 3.14. The mix of zoning provided allows for a range of housing types within this development, with 139 Single-Family Detached Units & 99 Single-Family Attached Units, including both rear and front-loaded units. While housing choices for different income levels is accommodated through the provision of a variety of housing types, it is further addressed through the variety of lot sizes provided for Single Family Detached Units (ranging from 3,176 square feet to 10,744 square feet). This policy is satisfied.

4.5 LIVABILITY AND NEIGHBORHOOD CHARACTER

Goal 4.5.1: *Ensure that Beaverton continues to be one of the most livable communities in the region*

Policies:

- a) Encourage quality design throughout the city that acknowledges neighborhood character, provides safe and direct connections for pedestrians and bicyclists to a variety of destinations, and integrates open space, natural resources and scenic view corridors*

RESPONSE: The proposed development has been designed with a range of housing types, lot sizes, and pedestrian connections in order to create a more diverse, accessible community. Street patterns have been designed to provide short blocks and high levels of connectivity, given the limits of site topography and access restriction. Direct pedestrian connections are made to the community trail provided along the southeast property line, utilizing both off-street connections and neighborhood sidewalks. This policy is considered to be met.

e) When considering comprehensive plan and zoning map amendments, address the potential impacts of densification, including increased traffic and noise, on established neighborhoods

RESPONSE: This application includes both a request for a Comprehensive Plan Amendment and a Zoning Map Amendment. The Comprehensive Plan Amendment is requested to relocate the boundary between the Standard Density and Medium Density designations on the site to better align with existing topography and proposed street layouts, and allow for a more cohesive neighborhood design with a more natural transition between differing land use densities. The Zoning Map Amendment is proposed to apply the applicable zoning districts per Table 2: Land Use Designations and Capacity Estimates of the SCMCP. Both requests will maintain the integrity of the SCMCP as it relates to density and traffic patterns. This policy is satisfied.

f) Provide flexible development standards for projects that exceed the minimum requirements for natural resource protection, open space and public gathering places, and energy efficiency

RESPONSE: The proposed development is subject to the Conditional Use – Planned Unit Development Standards as required in the SCMCP area, which provides flexible development standards as described above. This policy is satisfied.

g) Work with regional partners to improve bicycle and pedestrian access to nearby parks, schools, and neighborhood services and provide increased opportunities for healthy active living

RESPONSE: This greenfield development provides the transportation infrastructure laid out in Figure 10: Community Plan Street Framework of the SCMCP in the form of required neighborhood route and collector streets, which will be built to City and County standards to provide for vehicular, bicycle, and pedestrian circulation. These facilities, in addition to the on-site circulation provided by local streets and pedestrian accessways, will provide direct connections to nearby pedestrian draws, such as the new South Cooper Mountain High School, and the community trail on site. This policy is satisfied.

CHAPTER 5 – PUBLIC FACILITIES AND SERVICES ELEMENT

5.8 PARKS AND RECREATION

5.8.1 Goal: *Cooperate with THPRD in implementation of its 20-Year Comprehensive Master Plan and Trails Master Plan in order to ensure adequate parks and recreation facilities and programs for current and future City residents.*

Policies:

e) A number of financial incentives exist to encourage private property owners to donate, dedicate, or provide easements for resource preservation, park, trail or open space use. The City shall work cooperatively with property owners and THPRD to maximize the use of these tools for the benefit of the community.

Action 1: *The City shall develop a program to encourage preservation and restoration of habitat benefit areas in cooperation with THPRD.*

RESPONSE: As described previously, the applicant proposes to preserve the identified significant wetland on the site and its associated vegetated corridor areas within an open space tract, which will be enhanced to CWS good or better standards, and which will include mitigation of limited impacts to the resource. The multi-use trail on the site will also be constructed within the open space tract, to THPRD standards, and will include appropriate easements for public trail access. This policy is met.

g) The planning, acquisition and development of multi-use paths should be consistent with this Plan's Transportation Element and THPRD's Trail Master Plan.

RESPONSE: The multi-use community trail designated on the SCMCP for the site is also designated as a Proposed Community Trail on the 2016 THPRD Trails functional plan. Design and construction of the trail will be consistent with THPRD's design and construction standards. This policy is met.

h) The City shall encourage park acquisition and appropriate development in areas designated as Significant Natural Resources, as defined by Volume III of this Comprehensive Plan.

RESPONSE: No park acquisition is proposed by THPRD at this time. As described above, appropriate easements for public trail access will be provided over the multi-use trail and accessway areas. This policy is met.

CHAPTER 6 - TRANSPORTATION ELEMENT

6.2 TRANSPORTATION GOALS AND POLICIES

6.2.1. Goal: *Transportation facilities designed and constructed in a manner to enhance Beaverton's livability and meet federal, state, regional, and local requirements.*

Policies:

a) Maintain the livability of Beaverton through proper location and design of transportation facilities.

Actions:

- *Design all transportation facilities to respect the characteristics of the surrounding land uses, natural features and natural hazards, and community amenities.*
- *Design transportation facilities consistent with habitat friendly development practices and low impact development techniques and water quality and quantity design principles, wherever practical and feasible Promote landscaping and pervious surfaces wherever practical and feasible.*
- *Continue to implement "green streets" designs.*
- *Recognizing that the magnitude and scale of transportation facilities also affect aesthetics and environmental quality, the City will continue to require design plans and impact analyses for transportation facilities as specified in the Development Code.*
- *Preserve right-of-way for improvements that are anticipated to be needed within a specified time period that is beyond the planning forecast year for this Transportation System Plan.*

RESPONSE: As described above, this greenfield development provides the required transportation infrastructure as laid out in the SCMCP, in the form of required neighborhood route and collector streets. These streets will be built to City and County standards, including right-of-way widths, to provide for vehicular, bicycle, and pedestrian circulation. These facilities are in addition to the on-site circulation provided by local streets and pedestrian accessways, all of which have been designed to accommodate on-site topography and required densities, while providing a street network promoting convenient neighborhood circulation. This policy is satisfied.

d) Locate and design multi-use paths to balance the needs of human use and enjoyment with resource preservation in areas identified on the Natural Resource Inventory Plan Map for their Significant Natural Resource values.

Action:

- *Proposals for shared-use paths through significant natural resource areas shall assess compatibility of the path with the resource. The assessment shall include the impacts of lighting, appropriate restrictions on uses of the path, and options available to mitigate the impacts of the path.*

RESPONSE: As shown on Figure 11: Community Plan Bicycle & Pedestrian Framework of the SCMCP, a multi-use path is required to run north to south across the subject site, paralleling the southeastern property boundary. The applicant will accommodate this multi-use path within open space Tracts B & C, with additional pedestrian connections provided along Street C and Strobel Road. This policy is considered to be met.

e) Protect neighborhoods from excessive through traffic and travel speeds while providing reasonable access to and from residential areas. Build streets to minimize speeding.

Actions:

- *Maintain street design standards and criteria for neighborhood traffic calming for use in new development and existing neighborhoods.*
- *Complete construction of the 125th Avenue extension prior to completing the Davies Road connection from Scholls Ferry Road to Barrows Road.*

RESPONSE: Those neighborhood route and collector streets laid out in Figure 10: Community Plan Street Framework of the SCMCP will be constructed as required, and will be constructed to City and County standards as applicable. The local street network proposed will provide local level connectivity between through streets, and has also been designed to meet applicable City standards for engineering design and neighborhood connectivity. This policy has been satisfied.

g) Provide convenient direct pedestrian and bicycle facilities to promote the health and physical well being of Beaverton residents, to reduce traffic congestion, to provide commuting and recreational alternatives to the motor vehicle, and to support local commerce.

RESPONSE: As described above, those neighborhood route and collector streets laid out in Figure 10: Community Plan Street Framework of the SCMCP will be constructed as required, and will be constructed to City and County standards as applicable, including sidewalks and bicycle lanes where required. The exception is the private street located in Tract D, for which the applicant has included a request for a Sidewalk Design Modification with this application for a curb-tight sidewalk. The local street network proposed will provide local level connectivity between through streets, and has also been designed to meet applicable City standards for engineering design and neighborhood connectivity. Additional pedestrian connections are provided between Street C and Strobel Road, and between Strobel Road and the multi-use community trail, which will ultimately provide access to neighborhood pedestrian draws such as Mountainside High School and SW Scholls Ferry Road. This policy has been satisfied.

6.2.2. Goal: A balanced multimodal transportation system that provides mobility and accessibility for users.

Policies:

a) Recognize that streets are important to community identity and provide a needed service. Implement Beaverton's public street standards that recognize the multipurpose nature of

the street right-of-way for a combination of utility, pedestrian, bicycle, transit, truck, auto uses, and railroad crossings.

- c) Develop and provide a safe, complete, attractive, efficient, and accessible system of pedestrian ways and bicycle ways, including bike lanes, cycletracks, bike boulevards, shared roadways, multi-use paths, and sidewalks according to the pedestrian and bicycle system maps, and the Development Code and Engineering Design Manual requirements.*

Actions:

- Continue to coordinate with Washington County, Metro, Beaverton area schools, Oregon Department of Transportation, the cities of Tigard, Hillsboro, and Portland, Tualatin Valley Fire & Rescue, and the Tualatin Hills Park and Recreation District.*
- Sidewalks will remain the responsibility of fronting property owners. The City shall consider funding sidewalk improvements when such improvements serve the greater public good (such as a transportation or safety purpose), and funding is available.*
- Maintain the opportunity for resident groups to fund pedestrian and bicycle facilities through the local improvement district process.*

- d) Design sidewalks and the pedestrian access systems to City standards to enhance walkability: complete the accessible pedestrian network, provide safe direct access to transit and activity centers, and provide safe crossings at intersections with pedestrian friendly design.*

Actions:

- Adjust parking lot design standards to be more pedestrian-friendly.*
- Develop a performance measure for pedestrian facilities, and develop targets for different areas of the city. Consider factors such as long wait times at selected stop lights, closed crosswalks, noise and pollution, debris and obstacles on sidewalks, speed of traffic, and other factors reducing pedestrian friendliness.*

- e) Provide connectivity to each area of the City for convenient multimodal access. Ensure pedestrian, bicycle, transit, and vehicle access to schools, parks, commercial, employment, and recreational areas, and destinations in station areas, regional and town centers by identifying and developing improvements that address connectivity needs.*

RESPONSE: As described previously, all streets and sidewalks within the development have been designed in accordance with the applicable engineering standards of the City, and as required by Figure 10: Community Plan Street Framework of the SCMCP, or as requested for modification through this application. Streets have been designed to accommodate the ultimate right-of-way requirements and street sections for the classification. A multi-use trail is provided along the southeast side of the site within Tracts B & C, consistent with Figure 11: Community Plan Bicycle & Pedestrian Framework of the SCMCP. Where appropriate, pedestrian connections have been provided between through streets to facilitate enhanced pedestrian and bicycle access to adjoining streets and the community trail. When constructed, the street system within the development will provide a complete circulation system meeting the applicable City

and County design and engineering standards, and will provide multiple connections to the north, east, south, and west. The above policies are considered to be satisfied.

f) Develop neighborhood and local connections to provide convenient circulation into and out of neighborhoods. Work to prevent and eliminate pedestrian and bicycle “cul de-sacs” that require substantial out-of-direction travel for pedestrians and bicyclists.

RESPONSE: Local and neighborhood level connections are provided throughout the site to provide convenient circulation within the development, and connecting to surrounding future neighborhoods. One short dead-end private street section is proposed as part of this development, serving only 12 of the total 238 units within the development. The private street within Tract D is approximately 345 feet in length. The dead-end street is required due to access restrictions and significant topography precluding the logical connection of a through street. The dead-end street does not result in significant out of direction travel. The applicant submitted an Engineering Design Manual Exception to the City Engineer for review on June 14, 2017, for Engineering approval of the street design, which was subsequently approved and is located in Application Binder 1 of 2. This policy is considered to be satisfied.

g) Identify specific areas within the City where pedestrian needs and the pedestrian experience should be given highest priority in the design of streets, parking, intersections, connectivity, signal controls, mapping and signing, and other transportation facilities.

Actions:

- *Complete the accessible pedestrian network.*
- *Provide safe direct access to transit, employment and activity centers.*
- *Provide safe crossings with pedestrian friendly design.*
- *Complete bikeway improvements to close the gaps in the bicycle network.*

RESPONSE: Neighborhood route and collector streets are proposed as identified in Figure 10: Community Plan Street Framework of the SCMCP, and will constructed to City standards as applicable. The local street network proposed will provide local level connectivity between through streets, and has also been designed to meet applicable City standards for engineering design and neighborhood connectivity. This policy has been satisfied.

h) The permanent closure of an existing road in a developed neighborhood is not recommended and will be considered by the City only under the following circumstances: as a measure of last resort, when the quality of life in the neighborhood is being severely threatened by excessive traffic volumes or the presence of a traffic safety hazard; or, as part of a plan reviewed through the City’s land use, site development, and/or capital improvement process(es). Maintain existing neighborhood connectivity by avoiding closures of existing streets except when the closure is part of a larger plan for improvements to the neighborhood.

Actions:

- *Jay Street is recommended to remain open between 158th Avenue and Burlington Drive.*

RESPONSE: No existing developed roads will be permanently closed as a result of this development. This policy is met.

i) Design streets to accommodate transit while minimizing impacts to traffic flow.

Actions:

- *Improve transit service, pedestrian and bicycle facilities leading to transit waiting areas, and make the waiting areas themselves safe, comfortable, and attractive. Continue to work with TriMet, the Oregon Department of Transportation, and Washington County to develop and implement a transit shelter program, to place safe crossings at major transit stops, and to provide transit vehicle signal priority.*

RESPONSE: No transit improvements have been identified to be constructed with this development. However, it is considered that should transit facilities in the form of bus service be proposed in the future, this should be able to be accommodated within the proposed collector street section along the northern property boundary of the site. This policy is satisfied.

j) Require developers to include pedestrian, bicycle, and transit-supportive improvements within proposed developments and adjacent rights-of-way in accordance with adopted policies and standards.

RESPONSE: The development includes a range of pedestrian and bicycle supportive elements, including the multi-use path to be accommodated within Tracts B & C, and additional accessways within the development. No transit improvements have been identified to be constructed with this development, however it is considered that if required or proposed in the future, transit improvements could be accommodated within the proposed collector street section along the northern property boundary of the site. This policy is satisfied.

6.2.3. Goal: A safe transportation system.

Policies:

b) Design streets to serve anticipated function and intended uses as determined by the Comprehensive Plan.

Action:

- *Maintain a functional classification system that meets the City's needs and respects the needs of other agencies including, but not limited to, Washington County, Oregon Department of Transportation, the cities of Tigard, Hillsboro, and Portland, TriMet, Tualatin Valley Fire and Rescue, Tualatin Hills Park and Recreation District, and Metro.*

RESPONSE: As identified above, all proposed transportation system improvements will be constructed to the standards of the applicable City or County functional classification (i.e. collector street, neighborhood route, or local street), and will ensure the preservation of the integrity of the functional classification system as a whole within the development. This policy is satisfied.

d) Designate safe walkway and bikeway routes from residential areas to schools, parks, transit, and other activity centers.

Actions:

- *The City should continue to work with Beaverton area schools and the community in developing safe transit, pedestrian, and bicycle routes to schools, and educating users about available routes.*
- *Improvement projects near schools shall consider school access and safety during project development.*
- *The City shall coordinate with Beaverton area schools to notify students when designated routes are affected by construction or other activities.*

RESPONSE: The applicant understands the obligations of the City and School District in this area. The applicant will work with the City during construction to provide adequate notice as necessary. This policy is satisfied.

e) Construct multi-use paths only where they can be developed with satisfactory design components that address safety, security, maintainability, and acceptable uses. Multiuse paths should converge at traffic-controlled intersections to provide for safe crossing, and paths should be separate and distant from major streets for most of their length. Mid-block crossings for trails access, such as the Denney Road Fanno Creek Trail crossing, will be considered as appropriate where findings for safety are met and such crossings are approved by the City.

Actions:

- *Identify trail crossing treatments for appropriate use at locations where out-of direction travel by path users to an existing traffic-controlled intersection is significant.*
- *Consider mid-block crossings where safe and appropriate.*
- *When multi-use paths follow rear lot lines, use design treatments to minimize the impacts to private property.*

RESPONSE: As shown on Figure 11: Community Plan Bicycle & Pedestrian Framework of the SCMCP, a multi-use path is required to run north to south through the subject site, paralleling the southeastern property boundary. The applicant will accommodate this shared-use path as an off-street trail segment within Tracts B & C, and connecting with future trail segments to the north and south. While the trail will be located along the rear property line of Lots 9 through 22, privacy for those lots will be maintained due to grade, with the trail generally lower than the lots. The entire segment of trail proposed on the site will be off-street trail, and as such no trail crossings are proposed.

f) Provide satisfactory levels of maintenance to the transportation system in order to preserve user safety, facility aesthetics, and the integrity of the system as a whole.

RESPONSE: No urban level streets exist or will be retained within the development site. All proposed transportation system improvements will be constructed to the applicable City or County standard, ensuring preservation of the integrity of the transportation system as a whole within the development. This policy is satisfied.

g) Maintain access management standards for streets consistent with City, County, and State requirements to reduce conflicts among vehicles, trucks, rail, bicycles, and pedestrians. Preserve the functional integrity of the road system by limiting access per City standards.

RESPONSE: All intersections will meet the applicable standards for access to collector, neighborhood routes, and local streets, as applicable. In particular, all dwelling units with frontage to the proposed east-west collector will be accessed either from private alley ways, or via internal local streets. The functional integrity of each classification will be maintained. This policy is satisfied.

h) Ensure that adequate access for emergency services vehicles is provided throughout the City.

Actions:

- Work cooperatively with Tualatin Valley Fire and Rescue and other Washington County emergency service providers to designate and periodically update Primary and Secondary Emergency Response Routes. Continue to work with these agencies to establish acceptable traffic calming strategies for these routes.*
- Recognize the route designations and associated acceptable traffic calming strategies in the City's Traffic Calming Program.*

RESPONSE: As previously described, all streets within the development are proposed to be constructed to the applicable City or County standard, including the provision of adequate turning radius and turnarounds, or as modified through the Engineering Design Modification process. Adequate access for emergency service vehicles will be provided. This policy is satisfied.

6.2.5. Goal: Transportation facilities that serve and are accessible to all members of the community.

Policies:

a) Construct transportation facilities, including access to and within transit waiting areas, to meet the requirements of the Americans with Disabilities Act.

Action:

- *Identify, assess, and remove access barriers to persons with disabilities.*

RESPONSE: No transit improvements have been identified to be constructed with this development. Where applicable, sidewalks and intersections will be constructed to meet ADA requirements for accessibility. This policy is satisfied.

CHAPTER SEVEN – NATURAL, CULTURAL, HISTORIC, SCENIC, ENERGY, AND GROUNDWATER RESOURCES ELEMENT

7.1.1 Goal: Balance development rights with natural resource protection.

Policies:

- b) Where adverse impacts to Significant Natural Resources cannot be practicably avoided, require mitigation of the same resource type commensurate with the impact, at a location as close as possible to the impacted resource site.*

RESPONSE: The applicant's wildlife habitat biologist, Environmental Science & Assessment, LLC (ES&A), conducted a Site Assessment to assess the presence and extent of sensitive areas within the development site and within 200 feet of the site, and adjacent vegetated corridors. This assessment was submitted to CWS as part of obtaining a CWS Sensitive Area SPL, and is included as part of this application packet. The wetland delineation prepared by ES&A for the site was also submitted to and gained concurrence from the Department of State Lands.

As described by ES&A, the South Cooper Mountain Annexation Area Local Wetland Inventory (LWI) for the City of Beaverton maps palustrine forested (PFO) wetland along the southeastern boundary of the project area, extending off-site, and a very small wetland mapped in the area of the swale topography in the northeast end of the site as a "probable" palustrine emergent (PEM) wetland. The National Wetlands Inventory maps wetlands off-site to the southeast but none on-site.

As identified in the ES&A Site Assessment, three Sensitive Areas are located on-site, Wetlands A and B and Waters A. Wetlands A and B occur along the southeastern property boundary of TL 302 and extend off-site to the southeast where they are likely connected. Waters A is located in the northeastern portion of the project site north of the off-site PFO wetland. These areas are identified on the LWI as a part of South Cooper Mountain Annexation Area Wetland A (W-A).

Based on CWS requirements, the width of vegetated corridor on the site was determined to be 50-feet wide due to the adjacent slopes being less than 25% and Sensitive Areas not being isolated. The total area of vegetated corridor is 49,908-SF (± 1.15 acres) on site. Two vegetated corridor plots were taken to identify the condition of the vegetated corridor which is in marginal (11,334 SF) and degraded (38,574 SF) condition. The vegetated corridor areas are identified in Figure 12 as including Upland Wildlife Habit Classes A, B, and C.

Both Wetland A and Wetland B, and Waters A, as delineated by ES&A, will be located within proposed Open Space Tract B, along with the associated vegetated corridor areas. A pedestrian trail will be located along the east side of the project area parallel to the vegetated corridor. Two stormwater detention facilities are located on the east side of the project area (Tract A and Tract C). Each facility will have one 120 square foot stormwater outfall located within the vegetated corridor.

The total permanent vegetated corridor impact is 2,783 SF:

- 2,543 square feet of impacts are associated with the pedestrian trail and grading for the trail. The main impact is due to the trail turning south through the VC to connect with a proposed trail that is planned when the area to the south is developed. Impacts will be mitigated on site at a 1:1 ratio, with the exception of 153 square feet, which is allowed for trails.
- 240 square feet of impacts are associated with the two stormwater outfalls. Only 140 square feet of the impacts will be mitigated on site (up to 100 SF is allowed for storm water outfalls).

The total temporary vegetated corridor impact is 3,000 SF:

- The impacts are from the installation of two stormwater pipes that will be installed for each stormwater facility that connects to the outfalls and the sewer alignment just north of the vegetated corridor line. The impacts will be mitigated in place and will be planted as part as the vegetated corridor Enhancement Plan. A portion of the temporary impacts overlaps with the mitigation area, which will be planted.

The vegetated corridor mitigation area totals 2,530 square feet and is located within an area contiguous to the vegetated corridor at the south end. The area is in degraded condition and will be planted at 100 percent of the CWS planting density for both trees and shrubs.

The remaining portion of the vegetated corridor (47,278 SF) will be enhanced to meet good condition as per CWS standards. This will meet and/or exceed the requirements of this section.

c) Allow for relaxation of development standards to protect significant natural and historic resources. Such standards may include but are not limited to minimum setbacks, maximum building height, minimum street width, location of bicycle, pedestrian and multi-use paths, etc.

Action 1: *Adopt and apply land use regulations that allow and encourage habitat friendly and low impact development practices within habitat benefit areas, and where appropriate, throughout the city.*

Action 2: *Adopt and apply a system to allow flexibility in applying the site development standards when development employs low impact development techniques and habitat friendly development practices.*

Action 3: *Adopt and apply an incentive program to encourage the use of the low impact development techniques and habitat friendly development practices.*

RESPONSE: As described above, the applicant proposes to preserve and protect the identified significant wetland and associated riparian areas onsite within an open space tract on the southeastern portion on the site. Encroachments within the riparian area will be offset with appropriate mitigation measures in place in accordance with local, state, and federal requirements. This policy is satisfied.

7.3 NATURAL RESOURCES

7.3.1 SIGNIFICANT NATURAL RESOURCES

7.3.1.1 Goal: Conserve, protect, enhance or restore the functions and values of inventoried Significant Natural Resources.

Policies:

a) Inventoried natural resources shall be conserved, protected, enhanced or restored:

- to retain the visual and scenic diversity of our community;*
- for their educational and recreational values;*
- to provide habitats for fish and wildlife in our urban area.*

b) Conserve, protect and enhance natural resource sites and values through a combination of programs that involve development regulations, purchase of land and conservation easements, educational efforts, and mitigation of impacts on resource sites.

Action 1: *Establish acquisition programs for Significant Goal 5 Resources; prepare and maintain a long-range list of priority resource locations for public acquisition.*

Action 2: *Facilitate and encourage habitat friendly development practices and low impact development through flexibility in site development standards and reduction in surface water management fees and systems development charges.*

c) Inventoried natural resources shall be incorporated into the landscape design of development projects as part of a site development plan, recognizing them as amenities for residents and employees alike.

RESPONSE: As described above, a wetland identified in the South Cooper Mountain Annexation Area Local Wetland Inventory is located along the southeastern boundary of the site. This wetland and associated riparian areas will be preserved and protected within an open space tract. Access will be provided to this area to enhance educational and recreational opportunities within the neighborhood, with a multi-use community trail providing access and views along the area. This policy is satisfied.

d) The City shall rely on its site development permitting process as the mechanism to balance the needs of development with natural resource protection.

Action 1: *For properties located within significant natural resource areas, the City shall consider relaxation of its development standards where necessary to accomplish protection of riparian and wetland areas. Such standards include, but are not limited to, setbacks, building height, street width, location of bike paths, etc. Where the combination of riparian, wetlands, and other requirements would result in an unbuildable lot, such a situation may be relevant to a decision that may grant a hardship variance.*

Action 2: *City Staff will provide pre-application conferences to developers of property to provide available information and to discuss alternative methods of development acceptable to meet the adopted policies and ordinance standards.*

Action 3: *Adopt and apply land use regulations that require integration of natural features with the overall design of developments. Natural features include, but are not limited to, wetlands and water areas, intermittent and perennial streams, riparian corridors, urban forests and significant individual or community trees, slopes, geologic hazards, flooding, and erosion prone soils.*

Action 4: *Adopt and apply land use regulations that will minimize impacts from adjacent uses. Development Code design criteria shall be adopted that address the following considerations:*

- *Land uses immediately adjacent to protected resource areas should be designed to physically separate human activity from the resource activity. Preferred development abutting the resource should be 1) buildings with entrances oriented away from the resource area, and then 2) roadways with limited or no street parking with 3) parking lots as the lowest preference.*
- *Garbage facilities and materials storage areas should be located away from habitat areas.*
- *Habitat areas should be preserved as a few large connected areas, rather than many disconnected small areas and should be designed to minimize the amount of habitat edge exposed to development areas.*
- *Existing native vegetation should be retained to provide wildlife habitat. Snags and dying trees should be left in protected wildlife areas for wildlife use.*
- *To minimize disturbances to wildlife, lights for buildings and parking areas should be screened, and the light should be directed away from the protected habitat areas,*
- *Walkways should not bisect wildlife areas. If walkways do encroach upon wildlife areas, security lighting should be designed to shine primarily on the path and avoid shining directly into habitat areas.*

Regulations to address the above considerations shall not compromise public safety.

Action 5: *Adopt and apply regulations for resource areas, mitigation sites, areas adjacent to natural areas, wetlands, and tree groves that include but are not limited to the following requirements:*

- *Require use of native vegetation in mitigation areas and riparian buffers. Seed-and fruit producing native plants with aesthetic value should be incorporated into the landscaping at locations adjacent to wildlife habitat areas.*
- *Allow for buffer averaging in order to create opportunities for habitat protection and enhancement while accommodating urban forms of development.*

RESPONSE: As described above, a wetland identified in the South Cooper Mountain Annexation Area Local Wetland Inventory is located along the southeastern boundary of the site. This wetland and associated riparian areas will be preserved and protected within an open space tract. This area will be enhanced to meet Clean Water Services Sensitive Natural Area planting requirements. The applicant will obtain all necessary local, state, and federal permits prior to commencing work on any phase of the development which may impact significant natural resources on the site. This policy is satisfied.

e) Development within Significant Natural Resource areas shall be consistent with the relevant regulations or guidelines of the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Oregon Department of Fish and Wildlife, U.S. Army Corps of Engineers, Oregon Division of State Lands, Clean Water Services, and the Oregon Department of Environmental Quality.

Action 1: *During pre-application conferences for developers, City staff will attempt to identify any Federal, State, or local requirements and regulations affecting sites in Significant Natural Resource areas.*

Action 2: *The City will continue to monitor and review policies and regulations as necessary, to ensure consistency with Federal, State, and service providers' guidelines and regulations.*

RESPONSE: The applicant will comply with all relevant Federal, State, or local requirements, and obtain permits as necessary. This policy is satisfied.

f) Specific uses of or development activities in Significant Natural Resources areas shall be evaluated carefully and those uses or activities that are complementary and compatible with resource protection shall be permitted. This is not intended to prohibit a land use permitted by the underlying zoning district but only to regulate the design of development such as building or parking location or type of landscaping.

g) Limited alteration or improvement of Significant Natural Resource areas may be permitted so long as potential losses are mitigated and "best management practices" are employed.

RESPONSE: A multi-use trail is identified to be located adjacent to the significant natural resource corridor associated with the wetland along the southeastern boundary of the subject site. 2,543 square feet of impacts are associated with the pedestrian trail and grading for the trail. The main impact is due to the trail turning south through the vegetated corridor to connect with a proposed trail that is planned when the area to the south is developed. Impacts will be mitigated on site at a 1:1 ratio, with the exception of 153 square feet, which is allowed for trails. 240 square feet of impacts are associated with the stormwater outfalls. 140 square feet of the impacts will be mitigated on site (up to 100 SF is allowed for storm water outfalls). All development will comply with all relevant Federal, State, or local requirements, and obtain permits as necessary. No buildings or parking is proposed at this time. This policy is satisfied.

h) Roads and utilities, which must be located within, or traverse through, a Significant Natural Resource Area, shall be carefully planned and aligned so as to minimize loss and disruption. A rehabilitation or restoration plan shall be a necessary component. The City should allow variations from standard street sections in these areas.

RESPONSE: No roads or utilities are proposed within the resource area, with the exception of necessary stormwater outfall flow dissipation devices, as described above. Impacts to the resource will be mitigated to meet local, state, and federal regulatory standards. This policy is satisfied.

7.3.3 SIGNIFICANT WETLANDS

The Local Wetland Inventory is part of the Statewide Planning Goal 5 Inventory Resource documents. Significant wetlands are found within Appendix A, Table 5 of the Local Wetland Inventory. The Significant Wetlands designation must comply with the policies and actions set forth in Section 7.3.1 as well as those promulgated in this section.

7.3.3.1 Goal: Protect or enhance wetlands adopted as Significant Wetlands in the Local Wetland Inventory.

Policies:

a) Significant Wetlands in the Local Wetland Inventory shall be protected for their filtration, flood control, wildlife habitat, natural vegetation and other water resource values.

RESPONSE: As identified in the ES&A Site Assessment, three Sensitive Areas are located on-site, Wetlands A and B and Waters A. Wetlands A and B occur along the southeastern property boundary of TL 302 and extend off-site to the southeast where they are likely connected. Waters A is located in the northeastern portion of the project site north of the off-site PFO wetland. These areas are identified on the LWI as a part of South Cooper Mountain Annexation Area Wetland A (W-A). Both Wetland A and Wetland B, and Waters A, as delineated by ES&A, will be located within proposed Open Space Tract B, along with the associated vegetated corridor areas. No impacts to the wetland areas are proposed. This policy is satisfied.

b) Development within the buffer area adjacent to a significant wetland shall be subject to restrictions on building, grading, excavation, placement of fill, and native vegetation removal.

Action 1: *Amend the City regulations and development standards as appropriate, to ensure compliance with Clean Water Services Design and Construction Standards provisions for encroachment.*

RESPONSE: As discussed above, a small amount of encroachment into the vegetated corridor associated with Wetland W-A will occur as part of this development for trail construction and stormwater outfall devices. The vegetated corridor mitigation area associated with these encroachments totals 2,530 square feet and is located within an area contiguous to the vegetated corridor at the south end. The area is in degraded condition and will be planted at 100 percent of the CWS planting density for both trees and shrubs. The remaining portion of the vegetated corridor (47,278 SF) will be enhanced to meet good condition as per CWS standards. This policy is satisfied.

c) Where development is constrained due to wetland protection regulations, a hardship variance may be granted if approval criteria are met.

Action 1: *Amend the implementing ordinances as appropriate to ensure compliance with Clean Water Services Design and Construction Standards provisions for a hardship variance.*

RESPONSE: While the wetland location drives a number of site design elements, the development site is not unduly constrained due to wetland protection regulations; therefore, this policy is not applicable.

SOUTH COOPER MOUNTAIN COMMUNITY PLAN

RESPONSE: Pre-Application Conference notes issued for the site (PA2016-0063) state that “South Cooper Mountain Community Plan compliance will be addressed with the PUD application.” Section 60.35.25.1. of the Beaverton Development Code requires proposals within the South Cooper Mountain Community Plan to demonstrate compliance with a list of specific applicable South Cooper Mountain Community Plan policies and figures. Accordingly, the applicant has addressed compliance with these applicable South Cooper Mountain Community Plan policies and figures as part of the written response to Section 60.35.25.1. Please see that Section for additional findings.

BEAVERTON DEVELOPMENT CODE

CHAPTER 20 – LAND USES

20.05. RESIDENTIAL LAND USE DISTRICTS

20.05.05. *Residential Areas.* *The areas of the City that are designated as residential densities implement the policies of the City’s Comprehensive Plan and are identified on the City’s Zoning Map. Full urban services are to be provided.*

Six residential zones establish varied levels of residential densities and uses.

20.05.10 Purpose.

2. R2 Residential Urban Medium Density District (2,000)

The R2 District is intended to establish medium density residential developments where a minimum land area of 2,000 square feet is available for each dwelling unit.

RESPONSE: The site contains approximately 7.65 gross acres of land zoned R2 Medium Density Residential. Therefore, the standards of that district apply to this project.

3. R4 Residential Urban Medium Density District (4,000)

The R4 District is intended to establish medium density residential developments where a minimum land area of 4,000 square feet is available for each dwelling unit.

RESPONSE: The site contains approximately 11.48 gross acres of land zoned R4 Medium Density Residential. Therefore, the standards of that district apply to this project.

4. R5 Residential Urban Standard Density District (5,000)

The R5 District is intended to establish standard density residential developments where a minimum land area of 5,000 square feet is available for each dwelling unit.

RESPONSE: The site contains approximately 6.95 gross acres of land zoned R5 Standard Density Residential. Therefore, the standards of that district apply to this project.

5. R7 Residential Urban Standard Density District (7,000)

The R7 District is intended to establish standard density residential developments where a minimum land area of 7,000 square feet is available for each dwelling unit.

RESPONSE: The site contains approximately 10.42 gross acres of land zoned R7 Standard Density Residential. Therefore, the standards of that district apply to this project.

20.05.15 SITE DEVELOPMENT STANDARDS

Site Development Standards support implementing development consistent with the corresponding zoning district. All superscript notations refer to applicable regulations or clarifications as noted in footnotes below.

Development Standards Superscript Refers to Footnotes	R2	R4	R5	R7
A. Minimum Land Area ¹ (sq ft)	2,000	4,000	5,000	7,000
B. Minimum and Maximum Residential Density	Refer to Sections 20.25.05. and 20.25.15.B.			
C. Lot Dimensions ¹⁶				
1. Minimum Width				
a. Interior	14	24 / 40 ²	0	65
b. Corner	20	24 / 40 ²	0	70
2. Minimum Depth				
a. Interior	None	80	0	90
b. Corner	None	80	0	80
F. Minimum Yard Setbacks ^{4 16}				
1. Front	10	10	15	17
2. Side	0 or 5 or 10 ⁵	0 or 5 10 or 5 ⁶	5	5
3. Rear	15	15	20	25
4. Garage ⁷	5 or 18.5 ⁸	5 or 18.5 ⁸	20	20
5. Garage Door to Rear ⁹	24	24	24	24
6. Minimum Between Buildings ¹⁰	6	6	6	6
G. Reduced Yard Setbacks ^{11 16}				
1. Front	N/A ¹⁷	10	10	10
2. Side	N/A ¹⁷	5	5	5
3. Rear	5 ¹²	5	5	5
4. Garage	N/A ¹⁷	20	20	20
H. Building Height				
1. Maximum	60	40	35	35

1. For Detached, minimum land area per dwelling unit in the R5, R7, and R10 zones. For Attached and Detached, minimum parent parcel of land area per dwelling unit in the R1, R2, and R4 zones.
2. 24 foot lot width is required for attached dwellings, 40 feet for detached dwellings.
4. R4 lots that abut property zoned R5, R7, or R10 shall provide the abutting district setbacks for any setback, which abuts that district.
5. If dwellings are attached 0 side yard. Side which is not attached 5 feet. If abutting lower density residential zone 10 feet.
6. If dwellings are detached, 5 feet. If dwellings are attached, 0 feet with 10 feet for sides not attached.
7. Carports shall meet the same yard setbacks as the dwelling. Garage setbacks shall be measured from the elevation containing the garage door and vehicle entrance of carports to the property line. For all other garage elevations, the building setback applies.
8. *Either no greater than 5 feet or a minimum of 18.5 feet.*
9. *Measured from garage door elevation to opposite side of the alley right-of-way, common accessway, common driveway, or access easement line.*
10. *Minimum spacing between buildings on the same parcel or in the same development.*
11. *Upon approval of Flexible Setback 40.30 application.*
12. *Allowed except where abutting a lower density zone where standard setback is applied.*
16. *In the South Cooper Mountain Community Plan Area Lot Dimensions and Yard Setbacks for proposed Compact Detached Housing shall comply with the standards and/or Guidelines in Section 60.05.(Design Review) and Section 60.35 (Planned Unit Development).*
17. *Not eligible for Flexible Setback application. Any reduction shall be subject to Adjustment or Variance application process.*

RESPONSE: As described, the development site includes land within the R2, R4, R5, and R7 zoning districts, and is subject to the site development standards of Subsection 20.05.15. Housing types within the development include single family detached, front loaded single family attached, and rear loaded single family attached units. As a Planned Unit Development, adjustments to the setback and building height requirements of this section have been requested through the provisions of Section 60.35 (Planned Unit Development).

20.05.20 LAND USES

The following Land Uses are classified in the following three categories: Permitted (P) including their accessory uses and structures, Conditional Uses (C), or Prohibited (N) uses as identified in the table below for Residential Zoning Districts. All superscript notations refer to applicable Use Restrictions Section 20.05.25.

<i>Category and Specific Use</i> <i>Superscript Refers to Use Restrictions</i>		<i>R2¹¹</i>	<i>R4¹¹</i>	<i>R5¹¹</i>	<i>R7¹¹</i>
		<i>P: Permitted</i>	<i>C: Conditional</i>	<i>N: Prohibited</i>	
Residential					
2. Dwellings	A. Accessory Dwelling Units	P	P	P	P
	B. Attached ¹	P	P	NC ²	N
	C. Detached ¹²	P	P	P	P
	D. Home Occupation	P	P	P	P
	G. Planned Unit Development	C	C	C	C
Commercial					
11. Recreation	A. Public Parks, Parkways, Playgrounds, and Related Facilities	C	C	C	C

RESPONSE: As shown in the table included within Subsection 20.05.20, the detached units proposed in the R4, R5, and R7 zoning districts and attached units proposed in the R2 zoning district are typically permitted uses. However, as the site is located within the boundary of the South Cooper Mountain Community Plan Area and is greater than 10 acres, a Conditional Use Permit-Planned Unit Development pursuant to Section 40.15.15.4 is required

20.20.25 *USE RESTRICTIONS*

The following Use Restrictions refer to superscripts found in Section 20.05.20.

1. *Existing duplexes as of June 17, 2010 in the R10, R7, and R5 zones are Permitted uses.*

RESPONSE: No duplexes currently exist on the site. This standard is not applicable.

2. *Duplexes are Conditional Uses; other attached dwellings are Prohibited.*

RESPONSE: No attached units are proposed to be constructed within the R5 and R7 Districts. In accordance with Section 20.05.20, attached units are permitted R2 District, as proposed. This standard is met.

11. *A Conditional Use Permit-Planned Unit Development pursuant to 40.15.15.4 shall be required for residential development of a site equal to or greater than 10 acres and located within the boundary of the South Cooper Mountain Community Plan Area.*

RESPONSE: This application requests approval for the site as a Conditional Use Permit-Planned Unit Development pursuant to 40.15.15.4. This standard is met.

12. *Compact Detached Dwellings on lots fronting common greens, shared courts, or public streets may be permitted on sites that are two acres or greater in size through the Conditional Use-Planned Unit Development process.*

RESPONSE: No Compact Detached Dwellings are proposed as part of this application.

20.25 *DENSITY CALCULATIONS*

20.25.05 *Minimum Residential Density*

- A. *New residential development in all Residential, Commercial, and Multiple Use districts which permit residential development must achieve at least the minimum density for the zoning district in which they are located. Projects proposed at less than the minimum density must demonstrate on a site plan or other means, how, in all aspects, future intensification of the site to the minimum density or greater*

can be achieved without an adjustment or variance. If meeting the minimum density will require the submission and approval of an adjustment or variance application(s) above and beyond application(s) for adding new primary dwellings or land division of property, meeting minimum density shall not be required.

For the purposes of this section, new residential development shall mean intensification of the site by adding new primary dwelling(s) or land division of the property. New residential development is not intended to refer to additions to existing structures, rehabilitation, renovation, remodeling, or other building modifications or reconstruction of existing structures.

Minimum residential density is calculated as follows:

- 1. Refer to the definition of Acreage, Net. Multiply the net acreage by 0.80.*
- 2. Divide the resulting number in step 1 by the minimum land area required per dwelling for the applicable zoning district to determine the minimum number of dwellings that must be built on the site.*
- 3. If the resulting number in step 2 is not a whole number, the number is rounded to the nearest whole number as follows: If the decimal is equal to or greater than 0.5, then the number is rounded up to the nearest whole number. If the decimal is less than 0.5, then the number is rounded down to the nearest whole number.*

RESPONSE: The proposal initially calls for the concurrent approval of a 7-Lot subdivision, to be recorded prior to the recording of any phase of the 238-Lot subdivision. This is obviously below the minimum required net density of 198 units, as shown in the table below. However, as required by this Section, the applicant has submitted the appropriate concurrent land use applications, including a Conditional Use Planned Development Application and a 238-Lot Land Division, to demonstrate how, in all aspects, future intensification of the site to the minimum density or greater can be achieved without an adjustment or variance. Approval of this application and appropriate Conditions of Approval will ensure that minimum density can be achieved in compliance with City of Beaverton requirements for development within the South Cooper Mountain Community Plan area.

As shown below, the proposed planned unit development complies with both the minimum and maximum density standards for each requested comprehensive plan category within the applicable land use zoning designation, utilizing the calculation described above. This standard is considered to be met.

Land Use Designation	Assumed Mix of Zones	Acres	Net Residential Acres	Maximum Housing Capacity (Gross units)	Minimum Housing Capacity (Net units)	Proposed Units
Medium Density	R2 – 30%	7.65 (40%)	4.55	166	79	99
	R4 – 70%	11.48 (60%)	6.83	125	59	74
Standard Density	R5 – 30%	6.95 (40%)	4.13	60	29	36
	R7 – 70%	10.42 (60%)	6.20	64	31	29
Total		36.5	21.71	415	198	238

- B. Residential Density Averaging. Within a single land use zone, residential densities may be averaged across a property in order to allow for a variety of housing types, provided that the property is within a single, contiguous ownership, except that within a PUD may be averaged across multiple land use zones provided that the applicant demonstrates that the proposed development is compatible with existing and planned development on neighboring parcels. For the purposes of this standard, properties within a single, contiguous ownership also include those properties separated only by a street.*

RESPONSE: The application is not using residential density averaging as part of the planned development. Each of the four land use zoning districts within the development site is within the minimum and maximum density ranges, as shown in response to Section 20.25.05.A. above.

- C. South Cooper Mountain Community Plan. Within the South Cooper Mountain Community Plan Table 2: Land Use Designations and Capacity Estimates outlines the density capacity expectations for development of land within the South Cooper Mountain Community Plan Area. The Land Use Implementation Policies of the Community Plan include policies that outline application of zoning and deviations from the capacity estimates of Table 2.*

RESPONSE: As shown by the table presented in response to Section 20.25.05.A., above, the assumed mix of zones for Medium Density Residential is 30% (R2) – 70% (R4), and for Standard Density Residential is 30% (R5) – 70% (R7). However, in accordance with Land Use Implementation Policy 3 of the SCMCP, the applicant has selected to deviate from the assumed mix by 10%, for an actual mix within Medium Density Residential of 40% (R2) – 60% (R4), and within Standard Density Residential of 40% (R5) – 60% (R7). Percentages are based on the gross acreage of the site.

CHAPTER 40 APPLICATIONS

40.03. FACILITIES REVIEW COMMITTEE

1. All Conditional Use, Design Review Two, Design Review Three, and applicable Land Division applications:

- A. *All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.*

RESPONSE: Critical facilities are defined by Chapter 90 of the Beaverton Development Code to be services including public sanitary sewer, storm water drainage and retention, public water, transportation, and fire protection.

As described previously, no public sanitary facilities currently serve the site. Sanitary sewer will be brought to the site with development to the south, to be located within SW Strobel Road and The Ridge at South Cooper Mountain development (CPA2017-0002 / ZMA2017-0002 / LD2017-0002 / CU2017-0003 / DR2017-0010 / TP2017-0005). Sanitary sewer from the northern and eastern portions of the site will flow to the south, where it will be collected and diverted to Tract B by a series of laterals, manholes, and 8-inch sewer lines, before following the Community Trail alignment south to connect with the trail system within The Ridge at South Cooper Mountain, and the sanitary sewer manhole located within the cul-de-sac bulb of Street “D”. The manhole is served by an 18-inch sanitary drainage line. Sanitary sewer from the south-eastern portions of the site will flow to the south, where it will be collected and diverted to SW Strobel Road by a series of laterals, manholes, and 8-inch sewer lines, before connecting with The Ridge at South Cooper Mountain development, and the sanitary sewer manhole located at the northern limits of that projects alignment of SW Strobel Road. The manhole is served by an 18-inch sanitary drainage line. All sanitary services from the site will then be directed to the south for connection to the public system, which will gravity-flow to the new CWS Pump Station and force main in River Terrace. For further details, please see Sheet P5.0 – Preliminary Utility Plan North from The Ridge at Cooper Mountain, which is included within Application Binder 2 of 2, and Sheet 6.2 of 100 – Preliminary Utilities and Streets Plan of this application set, which is also included within Application Binder 2 of 2.

Storm Drainage will be captured through a series of laterals, catch basins and pipes. For the majority of the site, stormwater is being directed to and treated within two onsite stormwater facilities, located within Tracts A and C, before discharging to the on-site resource area. In addition, approximately 17 units and associated public improvements will be directed to the stormwater facility located within Tract H of The Ridge at South Cooper Mountain (CPA2017-0002 / ZMA2017-0002 / LD2017-0002 / CU2017-0003 / DR2017-0010 / TP2017-0005). The agreement relating to the use of this facility is included within Application Binder 1 of 2 (See Access and Utilities Tab: Sale Agreement and Receipt for Earnest Monies: Exhibit D). In addition, The Ridge at South Cooper Mountain Preliminary Drainage Report (Single-Family) and The Ridge at South Cooper Mountain Multi-Family Preliminary Drainage Report are included within Application Binder 2 of 2.

No public water facilities currently serve the site. New public water service will be extended from the 8-inch public line to be constructed within SW Strobel Road as part of The Ridge at South Cooper Mountain development, and looped within the site. For further details, please see Sheet P5.0 – Preliminary Utility Plan North from The Ridge at South Cooper Mountain, which is included within Application Binder 2 of 2, and Sheet 6.2 of 55 – Preliminary Utilities and Streets Plan of this application set, which is also included within Application Binder 2 of 2.

Access to the site meeting City of Beaverton standards will be provided with the construction of SW Strobel Road, a neighborhood route, as part of The Ridge at South Cooper Mountain development. Additional access may also become available via the extension of SW Barrows Road through development of Tax Lots 1S1 31 1600, 1602, & 1605. As described previously, internally, all streets and sidewalks within the development have been designed in accordance with the applicable engineering standards of the City, and as required by Figure 10: Community Plan Street Framework of the SCMCP, or as requested for modification through this application. Streets have been designed to accommodate the ultimate right-of-way requirements and street sections for the classification. A multi-use trail is provided along the southeast side of the site within Tracts B & C, consistent with Figure 11: Community Plan Bicycle & Pedestrian Framework of the SCMCP. Where appropriate, pedestrian connections have been provided between through streets to facilitate enhanced pedestrian and bicycle access to adjoining streets and the community trail. When constructed, the street system within the development will provide a complete circulation system meeting the applicable City and County design and engineering standards, and will provide multiple vehicular and/or pedestrian connections to the north, east, south, and west.

Fire protection will be provided to the site by Tualatin Valley Fire & Rescue, who have reviewed the proposal the Pre-Application Conference, and have not expressed any concerns with the adequacy or availability of service to the site. As an interim measure, if two access points are not available at the time of development, the applicant may seek to meet interim emergency vehicle access requirements through the provision of an easement over neighboring property to gain access to SW Horse Tale Lane, or meet Fire Marshal requirements via sprinklers or other alternative means of fire protection as authorized by the Fire Marshal.

Critical facilities and services are either in place or will be provided to the site prior to completion of development, and able to be constructed consistent with the SCMCP infrastructure requirements. Conditions of approval may be necessary to ensure service availability prior to issuance of final subdivision approval.

It is noted that the proposal initially calls for the concurrent approval of a 7-Lot subdivision, to be recorded prior to the recording of any phase of the 238-Lot subdivision. However, no development is proposed as part of the 7-lot subdivision. Instead, the concurrent 7-Lot subdivision is intended to allow the site to be broken into saleable areas consistent with the proposed phasing of the application, and will provide easements to the City of Beaverton to provide access and utility easements to permit the development of surrounding properties, if they develop prior to completion of the 238-Unit planned unit development. Approval of the application and appropriate Conditions of Approval will ensure that critical services can be

provided in a timely manner and in compliance with City of Beaverton requirements for development within the South Cooper Mountain Community Plan area.

- B. Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five (5) years of occupancy.*

RESPONSE: Essential facilities are defined by Chapter 90 of the Beaverton Development Code to be services including schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way.

The Beaverton School District has provided a positive Service Provider Letter for the application, affirming that adequate capacity is available within the District to accommodate future students from this development. Police protection will be provided by the City of Beaverton Police Department, with the subject site located within the corporate limits of the City of Beaverton.

As described previously, the subject site is located outside of the TriMet Service District boundaries, the nearest transit stop (Stop ID 9174) being located approximately 2 miles by road to the east on SW Scholls Ferry Road, serving Line 92 (South Beaverton Express). As such, it is considered that the site is not served by transit. However, it is noted that the South Cooper Mountain Concept Plan focuses its highest density urban neighborhood designations near the high school and Main Street - in the southern part of the planning area - as one strategy to help the area support transit service in the future. The plan also anticipates longer-term, limited-stop commuter-oriented transit service from Sherwood to Hillsboro along Roy Rogers Road and 175th Avenue. With the future extension of the east-west collector on the north property line, the subject site will be located within ¼ mile of SW 175th Avenue, and would at that time be considered to be served by transit.

As described above, internally, all public streets and sidewalks within the development have been designed in accordance with the applicable engineering standards of the City, and as required by Figure 10: Community Plan Street Framework of the SCMCP, or as requested for modification through this application. Streets have been designed to accommodate the ultimate right-of-way requirements and street sections for the classification. Where appropriate, pedestrian connections have been provided between through streets to facilitate enhanced pedestrian and bicycle access to adjoining streets and the community trail. All streets will include sidewalks, and where required by City Engineering standards, bicycle lanes. When constructed, the street system within the development will provide a complete circulation system meeting the applicable City and County design and engineering standards, and will provide multiple vehicular and/or pedestrian connections to the north, east, south, and west.

Essential facilities and services are available and adequate to serve the phased and ultimate build-out of the project. As discussed in the response above, the proposed subdivision is located in an

area that has available or will be provided a full range of urban services. Site and transit access will be improved over time with build-out of the SCMCP transportation infrastructure providing service to the site, and all private utilities are also available. Therefore, the criterion is met.

As above, it is noted that the proposal initially calls for the concurrent approval of a 7-Lot subdivision, to be recorded prior to the recording of any phase of the 238-Lot subdivision. However, no development is proposed as part of the 7-lot subdivision. Instead, the concurrent 7-Lot subdivision is intended to allow the site to be broken into saleable areas consistent with the proposed phasing of the application, and will provide easements to the City of Beaverton to provide access and utility easements to permit the development of surrounding properties, if they develop prior to completion of the 238-Unit planned unit development. Nothing in the concurrent subdivision application will reduce or eliminate the ability to provide essential services to the site with adequate capacity to serve the development prior to its occupancy.

- C. *The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses).*

RESPONSE: The applicant has demonstrated in the written narrative response to Chapter 20 and in plans submitted with the application that the proposed development is consistent with the applicable provisions of Chapter 20, except where modified by the provisions of Chapter 60 (Special Requirements), and in particular Section 60.35 (Planned Unit Development).

Concurrent applications have been submitted for a 238 Unit Planned Unit Development (139 Single-Family Detached Units, & 99 Single-Family Attached Units), Including a Comprehensive Plan Amendment to Adjust Plan Designations, a Zoning Map Amendment to Allocate Zoning Districts, a 238-Lot Land Division, a Concurrent 7-Lot Land Division, a Tree Plan Two, and a Sidewalk Design Modification. The applicant acknowledges that should the Planned Unit Development modifications not be approved, all provisions of Chapter 20 will apply. It is also noted that the applicant has elected to withdraw the application for Design Review II. Following preliminary approval, the applicant acknowledges that a Design Review application will be required following the provisions of Sections 40.20. and 60.05. of the Development Code of the City of Beaverton, prior to construction of any attached units within the development. This criterion is met.

- D. *The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development.*

RESPONSE: The proposed development is consistent with all of the applicable provisions of Chapter 60 including Principles, Standards or Guidelines where necessary. In addition, all improvements, dedications as required by Chapter 60 are provided in rough proportion to the impact of the proposed development. However, the applicant has elected to withdraw the application for Design Review II. Following preliminary approval, the applicant acknowledges that a Design Review application will be required following the provisions of Sections 40.20. and 60.05. of the Development Code of the City of Beaverton, prior to construction of any attached units within the development. This criterion is met.

- E. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas, and other facilities not subject to maintenance by the City or other public agency.*

RESPONSE: All of the private common facilities and areas including drivable surfaces, sidewalks, roads, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, and any other facility not subject to maintenance by the City will be maintained by the Home Owners Association, as will be established as part of this development. This criterion is met.

- F. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.*

RESPONSE: All of the proposed streets comply with Beaverton standards, except where modifications to those City standards are approved by the review body and/or the City Engineer as applicable. All of the streets provide safe and efficient circulation and access for motor vehicles, bicycles, pedestrians and transit.

Bicycle circulation and connections are provided through the use of public streets, accessways, alleyways, and the multi-use community trail. This mode and its associated circulation throughout the development site is safe and very efficient. Pedestrian circulation has been separated from vehicular circulation where possible through accessways, sidewalks, and the multi-use community trail located adjacent to the wetland resource, as opposed to being provided as an on-street trail. The pedestrian pathways interconnect all areas of the project and thus a very safe and efficient system is proposed. This criterion is met

- G. The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.*

RESPONSE: The on-site vehicular and pedestrian circulation systems are connected to the surrounding circulation systems in a safe, efficient and direct manner. The stub streets SW Strobel Road, Street C, D, and E) are designed to facilitate a full connection. The intersections

with Road A (east-west collector) separating the development from property to the north were located per the requirements of the Engineering Design Manual and the SCMCP. Pedestrian connections are provided between SW Strobel Road and the multi-use trail, midway between Street B and Street F on the west side of SW Strobel Road, and at the terminus of the private street within Tract D. In addition, all street accesses include public sidewalk connections. As described and as shown in the plans, this criterion is met.

- H. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.*

RESPONSE: All proposed structures and public facilities serving the development site are designed in accordance with adopted City codes and standards unless otherwise modified by approval of the City. Adequate fire protection is provided through a design which complies with both City and TVF&R standards. Adequate fire-flow will be verified prior to the issuance of any building permits for new dwelling units. Compliance with this criterion will be confirmed with installation of the necessary infrastructure at the time improvements are constructed, and prior to Final plat recordation.

- I. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.*

RESPONSE: The development is designed to comply with applicable city codes and standards, as addressed herein, and is not inadequate, substandard or ill-designed. There are no known hazards associated with this property, and appropriate street lighting is available or will be provided with the development as determined necessary. The site is situated and designed so as to provide good site surveillance to minimize crime the potential for crime.

- J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.*

RESPONSE: The subject site primarily slopes downhill to the southeast and north, with existing grades on site of up to 20%. As reflected on the Preliminary Grading Plan, grading activity for the proposed subdivision will be minimized and is designed to protect against adverse impacts on the abutting properties. The lots are designed to drain towards the public rights-of-way where public conveyance facilities are available. Appropriate erosion control measures will be provided during construction to protect the public streets and adjacent properties. All storm water will be directed to the public conveyance system in the street. Therefore, this criterion is met.

- K. *Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.*

RESPONSE: As illustrated in the attached plans, there are no existing sidewalks adjacent to the site. All transportation infrastructure on-site will be constructed as part of the Planned Unit Development and with the improvement, required sidewalks will be installed. Appropriate ADA ramps will also exist after the improvements are installed. The subdivision proposes single-family owner-occupied residential dwelling units in the form of detached homes and attached homes. The interiors of the detached homes which are not subject to ADA requirements will have the option to make them ADA accessible. The units are 2 to 3 stories and therefore would need to have modifications such as an elevator. Therefore, the criterion is met.

- L. *The application includes all required submittal materials as specified in Section 50.25.1 of the Development Code.*

RESPONSE: The application includes all of the applicable required submittal materials as specified in Section 50.25.1. This criterion is met.

40.15. *CONDITIONAL USE*

40.15.10. *Applicability.*

The uses listed in Chapter 20 (Land Uses) for each zoning district as a Conditional Use shall be subject to the provisions of this section.

40.15.15. *Application.*

There are four (4) Conditional Use applications which are as follows: Minor Modification of a Conditional Use, Major Modification of a Conditional Use, New Conditional Use, and Planned Unit Development.

RESPONSE: The applicant proposes a Planned Unit Development, pursuant to the requirements of this section.

4. *Planned Unit Development.*

- A. *Threshold.* *A Planned Unit Development is an application process which:*

3. *Is required for proposed residential development of a site that is equal to or greater than 10 acres, including all phases, and located within the South Cooper Mountain Community Plan Area.*

RESPONSE: The Scholls Valley Heights development has a site area of 36.5 acres, exceeding the 10-acre minimum threshold, and is located within the South Cooper Mountain Community Plan Area. As such, approval through the Planned Unit Development process is required.

- B. *Procedure Type.* The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for PUD approval. The decision making authority is the Planning Commission.

RESPONSE: This application is submitted for review through the Type 3 procedure, meeting the requirements of this section.

- C. *Approval Criteria.* In order to approve a PUD application, the Planning Commission shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a PUD application.*

RESPONSE: The Scholls Valley Heights development has a site area of 36.5 acres, exceeding the 10-acre minimum threshold, and is located within the South Cooper Mountain Community Plan Area. As such, approval through the Planned Unit Development process is required.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

RESPONSE: The applicant has submitted all applicable fees with this application.

3. *The proposal meets the Site Development Requirement for setbacks within the applicable zoning district for the perimeter of the parent parcel unless otherwise provided by Section 60.35.03.*

RESPONSE: At the time of this application, the site retains its prior Washington County AF-20 land use designation, and does not currently have City of Beaverton zoning. As part of this application, a Zoning Map Amendment is requested in order to apply the City of Beaverton R2, R4, R5, and R7 zoning districts, consistent with the requirements of the SCMCP.

The site currently has flag pole frontage only to SW Scholls Ferry Road. Agricultural uses exist to the north (front), east and west (side), and south (rear) of the property. Given the existing AF-20 land use designation, which is described by Section 308 of the Washington County Community Development Code as recognizing “...the desirability of encouraging and retaining limited interim uses until the urban comprehensive planning for future urban development of these areas is complete” it is considered appropriate to follow the setbacks of the SCMCP, as applied by this application, in determining perimeter setbacks.

The front yard of the site is along the north property line, where the site abuts the future collector street. This front yard area contains land proposed for all applicable zoning districts, and is proposed to include public ROW and the rear yards of single-family homes in each zoning district. The requested R2 and R4 front yard minimum setbacks are 10 feet, while the requested R5 and the R7 front yard minimum setbacks are 15 feet. These perimeter setbacks will be achieved within the ROW dedication for the collector half-street, and will not impact the lots.

In accordance with the definition of a rear lot line under Chapter 90 of the Beaverton Development Code, a rear lot line is one which is opposite to and most distant from the front lot line. In the case of an irregular or triangular-shaped lot, as is the case with the subject development property, a lot line ten feet (10') in length within the lot parallel to and at the maximum distance from the front lot line forms the rear lot line. In this case, then, the rear lot line can be considered to be a line extending east and west for 10 feet in the south-western corner, where proposed Lot 29 meets SW Strobel Road. The requested R7 Rear Yard setback of 15 feet will be applied to this 10-foot line. Therefore, the development complies with the rear yard perimeter setback of the parent parcel.

The side yards of the site are those to the east/southeast and west, and contain land proposed for R2, R4, and R7 zoning designations. In accordance with Section 60.35.10.3.A.1., as these side yards do not abut existing urban level development, they may be reduced without meeting the requirements of Section 60.35.10.3.A.1.b. Accordingly, these lots are proposed to have minimum side and rear setbacks as determined through the Planned Unit Development standards for side and rear yard setbacks in the applicable zoning district, however in no case will the perimeter side yard setback be reduced below 5 feet.

4. *The proposal complies with the applicable policies of the Comprehensive Plan.*

RESPONSE: This proposal complies with the requirements of the Comprehensive Plan and the SCMCP, as detailed in this report.

5. *The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.*

RESPONSE: The site is a large flag lot of 36.45 acres and contains two high points. The highest point is located in the southwest corner of the “flag” portion of the site where the existing house sits now at an approximate elevation of 377 feet. The second high point is located in the northern portion of the “flag” portion of the site with an approximate elevation of 371 feet. Ultimately the stormwater runs from the high points towards the natural resource that runs along the southeast boundary of the site. In general, the site is hilly with moderate to steep slopes. The site grades range from flat to 2% grades around the tops of the hills, which then fall off to natural slopes of approximately 8-22% with a few localized manmade slopes reaching maximum grades of approximately 2:1. The low point is in the southeast corner at an approximate elevation of 289 feet.

The site has been designed to protect and enhance the wetland area along the southeastern boundary of the site and associated riparian areas within the open space, and to respond to the topography of the site. The site is considered to reasonably accommodate the development as proposed.

6. *The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal*

impact on livability and appropriate development of properties in the surrounding area of the subject site.

RESPONSE: The site is part of the South Cooper Mountain Annexation Area, and has been designated through adoption of the SCMCP for development at the location, size, and functional characteristics as represented by this application. The proposal includes the provision of transportation and public utility infrastructure as identified in the SCMCP, and will be reasonably compatible with and have a minimal impact on livability and appropriate development of properties in the surrounding area.

7. *The width of proposed lots or staggering of building setbacks within detached residential developments vary so as to break up the monotony of long blocks and provide for a variety of home shapes and sizes, while giving the perception of open spaces between homes.*

RESPONSE: Single family-detached homes are proposed within the R4, R5, and R7 zoning districts within the site, and lots within each district are designed to accommodate homes on lots with widths and depths commensurate with the density of the zone. This, along with variation of lot widths within each district and orientation provides for significant variation to break up any monotony along block faces. Due to topography on-site, streets are proposed as generally curvilinear. This will further add to the variation of housing shapes and sizes within the development, due to the resultant variation in lot shapes.

8. *The lessening of the Site Development Requirements results in significant benefits to the enhancement of site, building, and structural design, preservation of natural features and the surrounding neighborhood as outlined in Section 60.35.15.*

RESPONSE: The lessening of the Site Development Requirements results in significant enhancements to the site, including the ability to provide additional housing types, such as both front and rear loaded single-family attached housing, and allows flexibility in the siting of dwellings on each lot in order to provide variation in housing design. These modifications facilitate the provision of additional open space within the development, and the retention of greater open space areas adjacent to the natural features in the southeastern corner of the site.

9. *The proposal provides improved open space that is accessible and usable by persons living nearby. Open space meets the following criteria unless otherwise determined by the Planning Commission through Section 60.35.15.:*
 - a. *The dedicated land forms a single parcel of land except where the Planning Commission determines two (2) parcels or more would be in the public interest and complement the overall site design.*

RESPONSE: The site is located within the SCMCP area. Open space within the SCMCP area is subject to the requirements of Section 60.35.15. Compliance with the requirements for open

space within the development is further addressed in response to that Section. However, it is noted that open space within the development is located primarily within and adjacent to the significant natural resource areas running along the property's south-east boundary. As such, the applicant has provided an additional active open space area near the northwest corner, adjoining the single family attached portion of the development, to enable more convenient access to such facilities. The location of open space in the development is in the public interest, and is complementary to the overall site design.

- b. The shape of the open space is such that the length is not more than three (3) times the width the purpose of which is to provide usable space for a variety of activities except where the Planning Commission determines a greater proportioned length would be in the public interest and complement the overall site design.*

RESPONSE: As described above, open space within the development is located primarily within and adjacent to the significant natural resource areas running along the property's south-east boundary, and contains the multi-sue trail located within the site. Due to the location of resources in this area, the open space is by its very nature long and linear. The shape of the open space area in the development is in the public interest as it increase public visual and recreational access to the natural area, and is complementary to the overall site design. The open space within Tract F consists of two triangular areas joined in the center, to provide for more interesting and varied spaces with a range of uses for residents.

- c. The dedicated land(s) is located to reasonably serve all lots for the development, for which the dedication is required.*

RESPONSE: As described above, open space within the development is located primarily within and adjacent to the significant natural resource areas running along the property's south-east boundary. As such, the applicant has provided an additional active open space area near the northwest corner, adjoining the single family attached portion of the development, to enable more convenient access to such facilities for residents. Additionally, a pedestrian access is provided between Street C and SW Strobel Road. The location of open space in the development is in the public interest, and is complementary to the overall site design.

- 10. For proposals within the SC-S (Station Community-Sunset) zoning district, the requirements identified in Sections 20.20.40.2. and 20.20.40.3. are satisfied.*

RESPONSE: The SC-S District is generally located within a ½ mile of the Sunset Transit Center Station, and is intended to implement the land use goals of the Peterkort Station Area Plan. The subject site is located with the South Cooper Mountain Community Plan area, approximately 6 ½ lineal miles southwest of the Sunset Transit Center, and is not located within the SC-S (Station Community-Sunset) zoning district. This criterion is not applicable.

- 11. If the application proposes to develop the PUD over multiple phases, the decision making authority may approve a time schedule of not more than*

five (5) years for the multiple development phases. If a phased PUD has been approved, development applications for the future phases of the PUD shall be filed within five (5) years unless the PUD has received an extension approval pursuant to Section 50.93. of the Development Code.

RESPONSE: The requests approval to develop the PUD over up to 2 primary phases. If the phasing for the PUD is approved, development applications will be filed within 5 years, unless otherwise extended in accordance with Section 50.93. It is noted that phasing described above is part of the 238-Lot Subdivision. The concurrent 7-Lot Subdivision will be undertaken in one phase, prior to Final Approval of the 238-Lot land division.

12. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

RESPONSE: The applicable applications for the proposed development, which include a Comprehensive Plan Amendment, Zoning Map Amendment, Preliminary Land Divisions, Conditional Use – Planned Unit Development, Tree Plan Two, and Sidewalk Design Modification, have been submitted with this request, as advised through the Pre-Application Conference.

D. Submission Requirements. An application for a PUD shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The PUD application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

RESPONSE: This application for a PUD is being made by an authorized agent of the property owners and the owners signatures have been obtained for the submittal. The form is provided by the Director and is filed with the Director as a part of the application process. All of the required accompanying information has been included in the application package along with information identified through the pre-application conference that was held. This criterion is met.

E. Conditions of Approval. The decision making authority may impose conditions on the approval of a PUD application to ensure compliance with the approval criteria.

RESPONSE: It is understood that conditions of approval may be imposed on the approval of this PUD application to ensure compliance with the approval criteria.

F. Phasing. If the application proposes to develop the PUD in a single phase, the decision shall expire two (2) years after the date of decision. Refer to Section 50.90.

Phasing of the development may be permitted with approval of the Planning Commission. A deed restriction for those areas of the parent parcel in which deferred development will occur shall limit the number of future units developed to an amount consistent with the minimum and maximum density or Floor Area Ratio (FAR) permitted for the overall development.

RESPONSE: The applicant proposes to develop the site in up to 2 primary phases, within the 238-Lot land division. Deed restrictions are not required, as development is proposed through each phase within the minimum and maximum densities of each applicable zoning district.

40.20. DESIGN REVIEW

40.20.10. Applicability.

1. *The scope of Design Review shall be limited to the exterior of buildings, structures, and other development and to the site on which the buildings, structures, and other development is located.*

RESPONSE: The applicant has elected to withdraw the application for Design Review II, and as such, no attached unit elevations are required, and compliance with this Section is not further addressed. However, it is noted that the applicant has submitted indicative elevations in order to support the proposed Planned Development, and the requested unit types, setbacks, and heights. Following preliminary approval, the applicant acknowledges that a Design Review application will be required following the provisions of Sections 40.20. and 60.05. of the Development Code of the City of Beaverton, prior to construction of any attached units within the development.

40.45. LAND DIVISION AND RECONFIGURATION [ORD 4487; July 2008]

40.45.10. Applicability.

The provisions of this section apply to all subdivisions, partitions, developments involving the dedications of public right-of-way, and the reconfiguration of existing property lines. Code requirements for the vacation of public rights-of-way are in Chapter 40.75 Street Vacations.

RESPONSE: This project includes the subdivision of land and dedications of public right-of-way. Therefore, this code section is applicable to this application.

40.45.15. Applications.

There are nine (9) types of applications under this Section, as follows: Property Line Adjustment, Replat One, Replat Two, Preliminary Partition, Preliminary Subdivision, Preliminary Fee Ownership Partition, Preliminary Fee Ownership Subdivision, Final Land Division, and Expedited Land Division.

5. Preliminary Subdivision.

A. Threshold. *An application for Preliminary Subdivision shall be required when the following threshold applies:*

1. *The creation of four (4) or more new lots from at least one (1) lot of record in one (1) calendar year.*

RESPONSE: This application results in two separate land divisions, one a 2 phased 238 unit planned unit development, and the other a concurrent 7-lot subdivision to create appropriate phasing boundaries and public easements. Ultimately, the development will result in the creation of 238 new lots from 2 existing lots of record in a single calendar year. All of the lots meet the requirements of Chapter 20. Therefore, a Preliminary Subdivision is the proper land division application for both land divisions.

B. Procedure Type. *The Type 2 procedure, as described in Section 50.40 of this Code, shall apply to an application for Preliminary Subdivision. The decision making authority is the Director.*

RESPONSE: While the Type 2 procedure and approval criteria are applicable to both of the Preliminary Subdivisions, the consolidated development includes a Comprehensive Plan Amendment and Zoning Map Amendment, and as such the decision-making authority will be the Planning Commission, with the Comprehensive Plan Amendment also going before City Council.

C. Approval Criteria. *In order to approve a Preliminary Subdivision application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

1. *The application satisfies the threshold requirements for a Preliminary Subdivision application. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47., further division of the parent parcel shall not proceed until all of the provisions of Section 40.47.15.1.C. have been met.*

RESPONSE: Both of the proposed Land Division applications satisfy the threshold requirements for Preliminary Subdivision applications as described above. The parent parcels are both Legal Lots of Record. This criterion is met.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

RESPONSE: The proper Preliminary Subdivision Application fees have been submitted for both the 7-Lot and 238-Lot subdivisions. This criterion is met.

3. *The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the subdivision process to comply with current Code standards and requirements.*

RESPONSE: City Staff have not noted any conflict with any existing City approval. This criterion is met.

4. *Oversized lots resulting from the subdivision shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed subdivision and future potential development on oversized lots. Easements and rights-of-way shall either exist or be proposed to be create such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot.*

RESPONSE: As described previously, the proposal initially calls for the concurrent approval of a 7-Lot subdivision, to be recorded prior to the recording of any phase of the 238-Lot subdivision. These lots will all be considered oversize lots. However, as required by this Section, the applicant has submitted the appropriate concurrent land use applications, including a Conditional Use Planned Development Application and a 238-Lot Land Division, to demonstrate how, in all aspects, future intensification of the site to the minimum density or greater can be achieved. Streets, driveways, and utilities are provided in the concurrent applications sufficient to serve the proposed subdivision and development of the oversized lots. Easements are proposed to be created facilitate the future subdivision and development of the oversized lots and any affected adjacent lot. Approval of this application and appropriate Conditions of Approval will ensure that minimum density can be achieved in compliance with City of Beaverton requirements for development within the South Cooper Mountain Community Plan area.

5. *If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.*

RESPONSE: The 238-Lot Preliminary Subdivision is proposed to be phased, in part to allow for the appropriate provision of public improvements to each phase. Each phase will meet all applicable City standards, as demonstrated through this application.

Two phases, Phases, 1, and 2 are proposed with the development. Phase 1 is located within the south-east portion of the site, and includes the interface between the development and “The Ridge” development at SW Strobel Road. Services to the site will be available at this location, including sanitary sewer, water service, and storm sewer for the 17 lots located in the south west of the development. As the phase is constructed, these services will be extended northwards to

serve the remainder of the development. All required passive open space will be provided within Phase 1, and 36,363 sf of active open space is provided. This exceeds the total minimum required active open space area of 29,294 sf, and as such phase 1 provides all required passive and active open space within the development. Note that Phase 1 includes Phases 1A and 1B, with the water quality facilities identified as Phase 1A and 1B, to be constructed as need allows.

Phase 2 will continue northwards from Phase 1, extending services from those constructed and stubbed as part of Phase 1. All open space has already been provided, however the Open Space Tract in Tract F will also be constructed in this phase. This criterion is met.

It is noted that the Concurrent Subdivision is not included as part of the phasing schedule, as no development is proposed as part of that land use action. The Concurrent 7-Lot Subdivision is intended to break areas within the later phases into saleable areas for purchase by one or more parties, and will be restricted by the Conditions of this approval. The Concurrent Subdivision will record public easements to the City of Beaverton over areas designated for public rights-of-way and utilities, in order to facilitate development of surrounding properties prior to the completion of Scholls Valley Heights, should the need arise.

6. *Applications that apply the lot area averaging standards of Section 20.05.50.15.D shall demonstrate that the resulting land division facilitates the following:*

RESPONSE: Neither Preliminary Subdivision is proposing lot area averaging, instead utilizing the PUD standards to alter lot areas, or in the case of the 7-Lot subdivision, creating oversized lots. This criterion does not apply.

7. *Applications that apply the lot area averaging standards of Section 20.05.50.15.D do not require further Adjustment or Variance for the Land Division.*

RESPONSE: Neither Preliminary Subdivision is proposing lot area averaging. This criterion does not apply.

8. *The proposal does not create a lot which will have more than one (1) zoning designation.*

RESPONSE: The proposal does not ultimately result in a parcel which will have more than one zoning designation, when completed as proposed and with appropriate Conditions of Approval. This criterion is met.

9. *Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.*

RESPONSE: The applicable applications for the proposed development, which include a Comprehensive Plan Amendment, Zoning Map Amendment, Preliminary Land Divisions,

Conditional Use – Planned Unit Development, and Tree Plan Two, have been submitted with this request, as advised through the Pre-Application Conference. Final approval applications will be submitted at the appropriate time.

D. Submission Requirements.

- 1. An application for a Preliminary Subdivision shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. Provided, however, where the application is made in conjunction with a Legal Lot Determination under Chapter 40.47, the City may consider the application even if fewer than all the owners of the existing legal lot or parcel have applied for the approval. The Preliminary Subdivision application shall be accompanied by the information required by the application form, and by Section 50.25 (Application Completeness), and any other information identified through a Pre-Application Conference.*

RESPONSE: All of the owners of the subject properties have signed the application forms provided by the City and these applications are being filed with the City. All lots are legal lots of record. The application submitted includes all of the information required by the form and Section 50.25. In addition, materials requested at the Pre-application Conference have been included. This criterion is met.

- 2. The Director may consider and act upon a request to develop a subdivision in phases. If the subdivision is to be phased, the applicant shall propose a phasing program in writing at the time of Preliminary Subdivision application submittal. The applicant is responsible for providing a time schedule for the final platting of the various phases. In no case shall the total time period for the final platting of all stages be greater than five (5) years without filing a new Preliminary Subdivision application.*

RESPONSE: The proposed subdivision is proposed to be completed in up to 2 phases. The appropriate phases will be completed within 5 years of PUD approval. This criterion is met.

It is noted that the Concurrent Subdivision is not included as part of the phasing schedule, as no development is proposed as part of that land use action. The Concurrent 7-Lot Subdivision is intended to break areas within the later phases into saleable areas for purchase by one or more parties, and will be restricted by the Conditions of this approval. The Concurrent Subdivision will record public easements to the City of Beaverton over areas designated for public rights-of-way and utilities, in order to facilitate development of surrounding properties prior to the completion of Scholls Valley Heights, should the need arise.

- E. Conditions of Approval. *The decision making authority may impose conditions on the approval of a Preliminary Subdivision application to ensure compliance with the approval criteria.*

RESPONSE: It is understood that conditions of approval may be imposed on the approval of each Preliminary Subdivision application to ensure compliance with the approval criteria.

40.58. SIDEWALK DESIGN MODIFICATION

40.58.10. Applicability.

The Sidewalk Design Modification application shall be applicable to all streets in the City.

RESPONSE: The applicant is proposing to eliminate the planter strip on the private street located within Tract D. Therefore, the Sidewalk Design Modification is applicable to this project.

40.58.15. Application.

There is a single Sidewalk Design Modification application which is subject to the following requirements.

- A. Threshold. *An application for Sidewalk Design Modification shall be required when one of the following thresholds applies:*
1. *The sidewalk width, planter strip width, or both minimum standards specified in the Engineering Design Manual are proposed to be modified.*
 2. *The dimensions or locations of street tree wells specified in the Engineering Design Manual are proposed to be modified.*

RESPONSE: The applicant is requesting to eliminate the planter strip between the back of curb and sidewalk on the south side of the private street located within Tract D. Due to the planter strip request, the threshold for a Sidewalk Design Modification is met.

- B. Procedure Type. *The Type 1 procedure, as described in Section 50.35 of this Code, shall apply to an application for Sidewalk Design Modification. The decision making authority is the Director.*

RESPONSE: Although this Sidewalk Design Modification application is normally a Type I approval, the application includes a Comprehensive Plan Amendment and a Zoning Map Amendment, therefore the decision-making authority is the Planning Commission.

- C. Approval Criteria. *In order to approve a Sidewalk Design Modification application, the decision making authority shall make findings of fact*

based on evidence provided by the applicant demonstrating that the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.*
2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

RESPONSE: As demonstrated above, the proposal satisfies the threshold requirements for a Sidewalk Design Modification application. All City application fees related to the application have been submitted. This criterion is met.

3. *One or more of the following criteria are satisfied:*
 - a. *That there exist local topographic conditions, which would result in any of the following:*
 - ii. *A situation in which construction of the Engineering Design Manual standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.*

RESPONSE: The applicant requests the elimination of the planter strip on the south side of the private street to be located within Tract D. Due to steep slopes on the site, and the alignment of SW Strobel Road as shown in the SCMCP, access to the lots north of SW Strobel Road cannot meet sight distance requirements. Accordingly, these units must be accessed from the north, from the proposed private street located within Tract D. In order to accommodate this additional access and retain a logical lotting and street pattern, the lots north of SW Strobel Road are necessary shallow. The addition of a planter strip serves to push the sidewalk further south while holding the grade at top of curb, thereby creating a greatly steeper gradient between the back of sidewalk and the garage vehicle entrance. The requested reduction in planter width allows for the property to be developed with a product that fits with the local community and meets the needs of the market and to accommodate permitted uses. The width of planter would physically limit the ability of the property to be developed in an economical manner. This reduction will not limit the use of the sidewalk and travel lanes while maintaining the intent of the street sections and safe operation. This criterion is met.

4. *The proposal complies with provisions of Section 60.55.25 (Street and Bicycle and Pedestrian Connection Requirements) and 60.55.30 (Minimum Street Widths).*

RESPONSE: The proposal complies with the listed sections. See those sections for a demonstration of compliance. This criterion is met.

5. *Applications and documents related to the request, which will require further City approval, have been submitted to the City in the proper sequence.*

RESPONSE: The applicable applications for the proposed development, which include a Comprehensive Plan Amendment, Zoning Map Amendment, Preliminary Land Divisions, Conditional Use – Planned Unit Development, Tree Plan Two, and Sidewalk Design Modification have been submitted with this request, as advised through the Pre-Application Conference.

6. *The proposed Sidewalk Design Modification provides safe and efficient pedestrian circulation in the site vicinity.*

RESPONSE: By eliminating the planter strip, there will be no impact to the safety or efficiency of the pedestrian circulation in the site vicinity. The private street is not anticipated to carry a significant volume of vehicular or pedestrian traffic, and those who use the facility for regular use such as entering and exiting driveways will be familiar with its design. With no more than 5 houses on the street, the impact to driveway aprons will be limited. This criterion is met.

- D. *Submission Requirements. An application for a Sidewalk Design Modification shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Sidewalk Design Modification application shall be accompanied by the information required by the application form, and by Section 50.25 (Application Completeness), and any other information identified through a Pre-Application Conference.*

RESPONSE: This application is being made by an authorized agent of the property owners and the owners signatures have been obtained for the submittal. The form is provided by the Director and is filed with the Director as a part of the application process. All of the required accompanying information has been included in the application package along with information identified through the two pre-app conferences that were held. This criterion is met.

- E. *Conditions of Approval. The decision-making authority may impose conditions on the approval of a Sidewalk Design Modification application to ensure compliance with the approval criteria.*

RESPONSE: It is understood that conditions of approval may be imposed on the approval of this application to ensure compliance with the approval criteria.

40.90. TREE PLAN

40.90.10. Applicability.

RESPONSE: A Tree Plan II application is required based on item 40.90.10.2.A.1. below.

2. Tree Plan Two

- A. Threshold. *An application for Tree Plan Two shall be required when none of the actions listed in Section 40.90.10 apply, none of the thresholds listed in Section 40.90.15.1 apply, and one or more of the following thresholds apply:*
1. *Removal of five (5) or more Community Trees, or more than 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period, except as allowed in 40.90.10.1.*
 - ...
 3. *Commercial, Residential, or Industrial zoning district: Removal of up to and including 75% of the total DBH of non-exempt surveyed tree(s) found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services.*
 4. *Removal of a Significant Individual Tree(s).*

RESPONSE: This application will result in the removal of more than 5 Community Trees on the site within 1 calendar year, with up to 89 non-exempt trees proposed for removal (including 14 off-site trees and 15 boundary trees). In addition, 3 trees located within a significant grove are proposed for removal. Therefore, a Tree Plan II application is required. Tree data and removal information is located within the Scholls Valley Heights – Beaverton, Oregon, Arborist Report and Tree Plan, Revised November 7, 2017 prepared by Morgan Holen & Associates, and Preliminary Grading and Tree Plans submitted with the application.

- B. Procedure Type. *The Type 2 procedure, as described in Section 50.40 of this Code, shall apply to an application for Tree Plan Two. The decision making authority is the Director.*

RESPONSE: While the Type 2 procedure and approval criteria are applicable to the Tree Plan Two, the consolidated development includes a Comprehensive Plan Amendment and Zoning Map Amendment, and as such the decision-making authority will be the Planning Commission, with the Comprehensive Plan Amendment also going before City Council.

- C. Approval Criteria. *In order to approve a Tree Plan Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

1. *The proposal satisfies the threshold requirements for a Tree Plan Two application.*

RESPONSE: As demonstrated above, the proposal satisfies the threshold requirement for a Tree Plan Two application based on 40.90.10.2.A.1 above. This criterion is met.

2. *All City application fees related to the application under consideration by the decision-making authority have been submitted.*

RESPONSE: The applicant has submitted the appropriate City application fees related to the Tree Plan Two application. This criterion is met.

3. *If applicable, removal of any tree is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.*

RESPONSE: As noted in the tree table on the existing conditions plan, approximately 4 of the trees are in poor condition or dead and will be removed. This criterion is met.

4. *If applicable, removal of any tree is necessary to accommodate physical development where no reasonable alternative exists.*

RESPONSE: The site is designated standard and medium density on the City Comprehensive Plan. This designation intends to allow for moderately intense development in order to meet the density requirements of the underlying designation. In addition, the site contains collector and neighborhood route streets as identified on the SCMCP, which require greater ROW widths and particular alignments designated within the plan. As such, many trees are being removed to accommodate physical development where no reasonable alternative exists. This criterion is met.

6. *If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety.*

RESPONSE: Approximately 53 trees are proposed to be removed to accommodate street improvements along SW Strobel Road, Road A (east-west collector), Street C, and Street E. No reasonable alternative exists based on the streets required improvements and alignment to avoid tree removal. This criterion is met.

7. *If applicable, removal of any tree is necessary to enhance the health of the tree, grove, SNRA, or adjacent trees, or to eliminate conflicts with structures or vehicles.*

RESPONSE: Three trees located within a significant grove are designated for removal as part of this proposal. These trees are located within the proposed building envelopes of dwellings on the site, and are therefore considered to be in conflict with structures as provided above. This criterion is met.

8. *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in a reversal of the original determination that the SNRA or Significant Grove is significant based on criteria used in making the original significance determination.*

RESPONSE: The three trees within a significant grove to be removed are 3 of the 33 trees identified as being in a significant grove or SNRA on the site, and make up only 13% of the DBH of trees located within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services. It is not considered that their removal alone will result in a reversal of the original determination that the SNRA or Significant Grove is significant. This criterion is satisfied.

9. *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.*

RESPONSE: The project arborist for the development has not identified any specific concerns for health and safety resulting from the removal of these 3 trees. This criterion is met.

10. *The proposal is consistent with all applicable provisions of Section 60.60 Trees and Vegetation and Section 60.67 Significant Natural Resources.*

RESPONSE: The proposal is consistent with all applicable provisions of Section 60.60 Trees and Vegetation and Section 60.67 Significant Natural Resources. This criterion is met.

11. *Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.*

RESPONSE: The grading and contouring of the site has been designed to accommodate the proposed use and mitigate adverse effects on neighboring properties, public right-of-way, surface drainage and the public storm drainage system. There are no water storage facilities nearby. The City Development Code outlines specific grading criteria to ensure that this standard is met. In addition, the applicant utilized recommendations from the project arborist to ensure protection of trees on site that are being preserved and those on neighboring properties that need protection. This criterion is met.

12. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.*

RESPONSE: The proposal includes all applicable application submittal requirements as specified in 50.25.1 of the Development Code as demonstrated through the City's completeness review process. This criterion is met.

13. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.*

RESPONSE: The applicable applications for the proposed development, which include a Comprehensive Plan Amendment, Zoning Map Amendment, Preliminary Land Divisions, Conditional Use – Planned Unit Development, Tree Plan Two, and Sidewalk Design Modification have been submitted with this request, as advised through the Pre-Application Conference.

- D. *Submission Requirements. An application for a Tree Plan Two shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Tree Plan Two application shall be accompanied by the information required by the application form, and by Section 50.25 (Application Completeness), and any other information identified through a Pre-Application Conference.*

RESPONSE: This application for a Tree Plan Two is being made by the owner of the subject properties. The form utilized was provided by the Director and is filed with the Director. All of the information required by the application form and by Section 50.25 is provided herein. No other information was identified through the pre-app process for submittal.

40.97. ZONING MAP AMENDMENT

40.97.10. Applicability.

The provisions of this section shall apply to a change of the zoning designation for parcels of land within the City.

RESPONSE: The subject site currently holds a land use designation of AF-20, an interim Washington County land use district intended to retain limited interim uses until the urban comprehensive planning for future urban development of these areas is complete. With the adoption of the SCMCP, it is now appropriate to apply City of Beaverton urban land use designations to the site.

The subject site includes both Standard Density and Medium Density designations. The applicant proposes to undertake a Comprehensive Plan Amendment to adjust the boundaries of these designations. In addition, a Zoning Map Amendment is proposed to apply the applicable R2, R4, R5, and R7 zoning districts per Table 2: Land Use Designations and Capacity Estimates, of the SCMCP.

40.97.15. Application.

There are four (4) Zoning Map Amendment applications which are as follows: Quasi-Judicial Zoning Map Amendment, Legislative Zoning Map Amendment, Non-Discretionary Annexation Related Zoning Map Amendment and Discretionary Annexation Related Zoning Map Amendment. The Director shall determine if a zone change is quasi-judicial or legislative. For annexation related zone change applications, the Director shall determine if the applications are discretionary or non-discretionary.

1. Quasi-Judicial Zoning Map Amendment.

A. Threshold. An application for Quasi-Judicial Zoning Map Amendment shall be required when the following threshold applies:

1. The change of zoning designation for a specific property or limited number of specific properties.

RESPONSE: The change of zoning designation relates to a limited number of specific properties, being Tax Lots 301 and 302 of Tax Map 2S106, and therefore meets this criterion.

B. Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for Quasi-Judicial Zoning Map Amendment. The decision making authority is the Planning Commission.

RESPONSE: The applicant acknowledges the Type 3 procedure requirement and the decision-making authority as the planning commission.

C. Approval Criteria. In order to approve a Quasi-Judicial Zoning Map Amendment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Quasi-Judicial Zoning Map Amendment application.

RESPONSE: The change of zoning designation relates to a limited number of specific properties, being Tax Lots 301 and 302 of Tax Map 2S106, and therefore meets the threshold requirements for a Quasi-Judicial Zoning Map Amendment application as listed above.

2. All City application fees related to the application under consideration by the decision making authority have been submitted.

RESPONSE: The applicant has submitted all applicable fees related to the application. This criterion is met.

3. *The proposal conforms with applicable policies of the City's Comprehensive Plan.*

RESPONSE: This proposal complies with the requirements of the Comprehensive Plan and the SCMCP, as detailed in this report.

4. *All critical facilities and services are available or can be made available to an adequate capacity to serve the site and uses allowed by the proposed zoning designation.*

RESPONSE: All critical facilities and services are or will be available to serve the site and uses to an adequate capacity, concurrent with development. Please see the applicant's response to Section 40.03.A. for additional findings.

5. *Essential facilities and services are available or can be made available to serve the site and uses allowed by the proposed zoning designation.*

RESPONSE: All Essential facilities and services are or will be available to serve the site and uses to an adequate capacity, concurrent with development. Please see the applicant's response to Section 40.03.B. for additional findings.

6. *The proposal is or can be made to be consistent with all applicable provisions of Chapter 20 (Land Uses).*

RESPONSE: This proposal is consistent with all applicable provisions of Chapter 20, as modified by the PUD standards of Section 60.35. Please see the applicant's response to those Sections for additional findings.

7. *The proposal shall include a Traffic Impact Analysis that meets the requirements of Section 60.55.20. The analysis shall demonstrate that development allowed under the proposed zoning can meet the requirements of Sections 60.55.10.1, 60.55.10.2, 60.55.10.3, and 60.55.10.7. The analysis shall identify the traffic impacts from the range of uses allowed under the proposed zoning and demonstrate that these impacts can be reasonably mitigated at the time of development.*

RESPONSE: A Traffic Impact Analysis was prepared for the development by Kittelson & Associates Inc, under the parameters directed by City Transportation Planning Staff and Section 60.55.20, and is included with this application. The findings relating to the requirements of Sections 60.55.10.1-3 and 7 are addressed in the applicant's responses to those sections. Findings from the Traffic Impact Analysis show that traffic impacts from the range of uses allowed under the proposed zoning can be reasonably mitigated at the time of development

8. *As an alternative to Section 40.97.15.1.C.7, the applicant may provide evidence that the potential traffic impacts from development under the proposed zoning are no greater than potential impacts from development under existing zoning.*

RESPONSE: The applicant has submitted a Traffic Impact Analysis under Section 40.97.15.1.C.7 above, and is not relying on the alternative approval criteria above.

9. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.*

RESPONSE: The application contains all applicable application submittal requirements specified in Section 50.25.1. and Section 40.97.15.1.D above. This criterion is met.

10. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.*

RESPONSE: The applicable applications for the proposed development, which include a Comprehensive Plan Amendment, Zoning Map Amendment, Preliminary Land Divisions, Conditional Use – Planned Unit Development, Tree Plan Two, and Sidewalk Design Modification, have been submitted with this request, as advised through the Pre-Application Conference.

- D. *Submission Requirements. An application for Quasi-Judicial Zoning Map Amendment to the City's zoning map shall be made by the owner of the subject property, or the owner's authorized agent, the City Council, Mayor, or their designee on a form provided by the Director. All Quasi-Judicial Zoning Map Amendment applications shall be filed with the Director and shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.*

RESPONSE: This application is being made by an authorized agent of the property owners and the owners signatures have been obtained for the submittal. The form is provided by the Director and is filed with the Director as a part of the application process. All of the required accompanying information has been included in the application package along with information identified through the pre-application conference that was held. This criterion is met.

CHAPTER 60 - SPECIAL REQUIREMENTS

60.05 DESIGN REVIEW DESIGN PRINCIPLES, STANDARDS AND GUIDELINES

60.05.05 Purpose. *The following design principles, standards and guidelines shall be met by new development and redevelopment where applicable, throughout the City.*

RESPONSE: The applicant has elected to withdraw the application for Design Review II, and as such, no attached unit elevations are required, and compliance with this Section is not further addressed. However, it is noted that the applicant has submitted indicative elevations in order to support the proposed Planned Development, and the requested unit types, setbacks, and heights. Following preliminary approval, the applicant acknowledges that a Design Review application will be required following the provisions of Sections 40.20. and 60.05. of the Development Code of the City of Beaverton, prior to construction of any attached units within the development.

60.15. LAND DIVISION STANDARDS

60.15.10. Grading Standards.

1. **Applicability.** *The on-site surface contour grading standards specified in Section 60.15.10.3. are applicable to all land use proposals where grading is proposed, including land division proposals and design review proposals, as applicable. This Section does not supersede Section 60.05.25. (Design Review) and the exemptions listed in Section 60.15.10.2. will apply equally to design review proposals.*

RESPONSE: Grading is not proposed as part of the concurrent 7-Lot Subdivision, nor is any development which might otherwise alter the use of the land, therefore the 7-Lot Subdivision application will not be further discussed in this Section.

Grading is proposed as part of the 238-unit planned unit development and associated 238-lot subdivision, and therefore the contour grading standards are applicable.

2. **Exemptions.** *The following improvements will be exempted from the on-site surface contour grading standards specified in Section 60.15.10.3:*
 - A. *Public right-of-way road improvements such as new streets, street widening, sidewalks, and similar or related improvements.*
 - B. *Storm water detention facilities subject to review and approval of the City Engineer.*
 - C. *On-site grading where the grading will take place adjacent to an existing public street right-of-way, and will result in a finished grade that is below the elevation of the subject public street right-of-way; provided such grading is subject to the approval of the City Engineer, who may require appropriate erosion and sediment control mitigation measures.*

RESPONSE: Public right-of-way improvements, stormwater detention facilities subject to review and approval by the City Engineer, and grading adjacent to an existing public right of way are proposed as a part of this project and are therefore exempt from the standards. In particular, the stormwater facility in the northeastern portion of the site, which includes grading and retaining adjacent to the eastern property line, is exempt from the standards in Section 60.15.10.3.

3. ***On-site surface contouring.*** *When grading a site within twenty-five (25) feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe the following:*
- A. *0 to 5 feet from property line: Maximum of two (2) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable.*
 - B. *More than 5 feet and up to and including 10 feet from property line: Maximum of four (4) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable.*
 - C. *More than 10 feet and up to and including 15 feet from property line: Maximum of six (6) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable.*
 - D. *More than 15 feet and up to and including 20 feet from property line: Maximum of eight (8) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable.*
 - E. *More than 20 feet and up to and including 25 feet from property line: Maximum of ten (10) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable.*

RESPONSE: With the exception of the exemptions listed above, the grading plan demonstrates that the applicant has complied with criterion 1 through 5 above. From 0 to 5 feet, no more than 2 foot of slope differential is proposed, from 5 to 10 feet, no more than 4 feet of differential is proposed. From 10 to 15 feet, no more than 6 feet of differential is proposed. From 15 to 20 feet, no more than 8 feet of differential is proposed and finally, from 20 feet to 25 feet, no more than 10 feet of differential is proposed.

- F. *Where an existing (pre-development) slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, above, the slope after grading (post-development) shall not exceed the pre-development slope.*

RESPONSE: Pre-development slopes where they exceed the above standards will not be in excess per the design than existed before construction. This criterion is met.

- G. *The on-site grading contours standards above apply only to the property lines of the parent parcel of a development. They do not apply to internal property lines within a development.*

RESPONSE: The development site consists of two parcels; therefore, these standards apply to the perimeter property lines of the combined parcels.

4. ***Significant Trees and Groves.*** *Notwithstanding the requirements of Section 60.15.10.3, above, grading within 25 feet of a significant tree or grove, where the tree is located on- or off-site, shall observe the following:*
- A. *0 to 10 feet from the trunk of a significant tree or grove: No change in pre-development ground elevation;*
 - B. *More than 10 feet, and up to and including 25 feet, from the trunk of a significant tree or grove, or to the outside edge of the tree's drip line, whichever is greater: Maximum 10% slope gradient difference from the pre-development ground elevation;*
 - C. *Based on a recommendation of the City Arborist, the decision making body may require additional setbacks and/or other tree protection measures to protect the public health, safety and welfare.*

RESPONSE: The majority of trees located within a significant grove are located with the SNRA areas, which will be preserved in accordance with CWS requirements and the recommendations of the project arborist as found within the Scholls Valley Heights – Beaverton, Oregon, Arborist Report and Tree Plan, Revised November 7, 2017 prepared by Morgan Holen & Associates, and Preliminary Grading and Tree Plans submitted with the application. This standard will be met.

60.25. OFF-STREET LOADING REQUIREMENTS.

RESPONSE: No loading facilities are required for residential development. These criteria do not apply.

60.30. OFF-STREET PARKING

60.30.05. Off-Street Parking Requirements. *Parking spaces shall be provided and satisfactorily maintained by the owner of the property for each building or use which is erected, enlarged, altered, or maintained in accordance with the requirements of Sections 60.30.05 to 60.30.20.*

- 1. ***Availability.*** *Required parking spaces shall be available for parking operable passenger automobiles and bicycles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for parking of trucks used in conducting the business or use.*

RESPONSE: All required parking spaces will be available for parking operable passenger automobiles and bicycles of residents, with completion of the development. No commercial or multi-use areas are included within the site therefore no customers, patrons or employees are expected. For storage of vehicles or material or for parking trucks used in conducting the business or use. This criterion is met.

2. ***Vehicle Parking.*** *Vehicle parking shall be required for all development proposed for approval after November 6, 1996 unless otherwise exempted by this ordinance. The required vehicle parking spaces shall be provided according to Section 60.30.10.5.*

RESPONSE: Vehicle parking is proposed and is provided in accordance with Section 60.30.10.5 as demonstrated below. This criterion is met.

3. ***Bicycle Parking.*** *Bicycle parking shall be required for all multi-family residential developments of four units or more, all retail, office and institution developments, and at all transit stations and park and ride lots which are proposed for approval after November 6, 1996. The number of required bicycle parking spaces shall be provided according to Section 60.30.10.5. All bike parking facilities shall meet the specifications, design and locational criteria as delineated in this section and the Engineering Design Manual.*

RESPONSE: No multi-family residential developments, retail, office, institutional developments, or transit stations and park and ride lots are proposed. This criterion is not applicable.

60.30.10 ***Number of Required Parking Spaces.*** *Except as otherwise provided under Section 60.30.10.11., off-street vehicle, bicycle, or both parking spaces shall be provided as follows:*

1. ***Parking Calculation.*** *Parking ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.*
2. ***Parking Categories.***
 - A. ***Vehicle Categories.***
Contained in the table at Section 60.30.10.5. are vehicle parking ratios for minimum required parking spaces and maximum permitted number of vehicle parking spaces to be provided for each land use, except for those uses which are located in the Regional Center which are governed by Section 60.30.10.6. These requirements reflect the parking requirements of Title 4 of Metro's Regional Transportation Functional Plan.
 1. ***Minimum Number of Required Parking Spaces.*** *For each listed land use, the City shall not require more than the minimum number of parking spaces calculated for each use.*
 2. ***Parking Zone A.*** *Parking Zone A reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone A areas include those parcels that are located within one-quarter mile walking distance of bus transit stops that have 20 minute peak hour transit service or one-half mile walking distance*

of light rail station platforms that have 20 minute peak hour transit service.

3. *Parking Zone B. Parking Zone B reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone B areas include those parcels that are located within one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both, or that have a greater than 20 minute peak hour transit service. Parking Zone B areas also include those parcels that are located at a distance greater than one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both.*
4. *Dual parking zones. If a parcel is partially located within Parking Zone A, then the use(s) located on the entire parcel shall observe the Parking Zone A parking ratios. Specifically exempted from this requirement are parcels located within the Regional Center—East zoning district. In the cases in the Regional Center—East zoning district where parcels are bisected by the boundary of Parking Zones A and B, the applicable maximum parking ratios may be averaged, and that average may be applied over the whole parcel.*

RESPONSE: As demonstrated below, the ultimate development is proposed to exceed the minimum parking requirements for vehicles and provide fewer than any maximum requirements. This criterion is met.

B. Bicycle Categories. The required minimum number of short-term and long-term bicycle parking spaces for each land use is listed in Section 60.30.10.5.

1. *Short-term Parking. Short-term bicycle parking spaces accommodate persons that can be expected to depart within two hours. Short-term bicycle parking is encouraged to be located on site within 50 feet of a primary entrance, or if there are site, setback, building design, or other constraints, bicycle parking shall be located no more than 100 feet from a primary entrance in the closest available area to the primary entrance as determined by the decision-making authority.*
2. *Long-Term Parking. Long-term bicycle parking spaces accommodate persons that can be expected to leave their bicycle parked longer than two hours. Cover or shelter for long-term bicycle parking shall be provided. School buildings are exempted from the requirement to cover long-term bicycle parking.*

3. *Bicycle parking shall be designed, covered, located, and lighted to the standards of the Engineering Design Manual and Standard Drawings.*

RESPONSE: This development includes only single-family residential dwellings; therefore bicycle parking is not required in accordance with the requirements of Section 60.30.05.3. These criteria are not applicable.

4. *Bicycle parking in the Old Town Parking Zones 1 and 2 shall be governed by the bicycle parking requirements listed in Section 60.30.10.5.*

RESPONSE: The project is not located in the Old Town Zones. This criterion does not apply.

3. *Ratios. In calculating the required number of vehicle and bicycle parking spaces, fractions equal to or more than 0.5 shall be rounded up to the nearest whole number. In calculating the required number of vehicle and bicycle parking spaces, fractions less than 0.5 shall be rounded down to the nearest whole number.*

RESPONSE: All ratios equal to or more than 0.5 are rounded up in the calculations below. This criterion is met.

5. *Parking Tables. The following tables list the required minimum and maximum vehicle and bicycle parking requirements for listed land use types.*

<i>Land Use Category</i>		<i>Required Parking Spaces</i>		<i>Maximum Permitted Parking Spaces</i>	
		<i>Multiple Use Zones</i>	<i>All Other Zones</i>	<i>Zone A</i>	<i>Zone B</i>
<i>Residential Uses</i>					
	<i>Detached dwellings (per unit)</i>	<i>1.0</i>	<i>1.0</i>	<i>n/a</i>	<i>n/a</i>
	<i>Attached dwellings</i>				
	<i>One bedroom (per unit)</i>	<i>1.0</i>	<i>1.25</i>	<i>1.8</i>	<i>1.8</i>
	<i>Two bedroom (per unit)</i>	<i>1.0</i>	<i>1.50</i>	<i>2.0</i>	<i>2.0</i>
	<i>Three or more bedrooms (per unit)</i>	<i>1.0</i>	<i>1.75</i>	<i>2.0</i>	<i>2.0</i>

- Notes:*
1. *Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.*
 2. *Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.*
 3. *Refer to Section 60.30.10.10. for exceptions.*
 4. *In calculating the required number of vehicle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.*

RESPONSE: There are 139 single-family detached units each containing 2 parking spaces in garages. Single-family detached units have a minimum requirement of 1 space per unit and no maximum, therefore these numbers meet the requirements of this section.

There are 99 single-family attached units each containing three bedrooms per unit. Two parking spaces are provided in garages/driveways. These criteria are met.

PARKING RATIO REQUIREMENTS FOR BICYCLES

<i>Land Use Category</i>		<i>Minimum Required Bicycle Parking Spaces</i>	
		<i>Short Term</i>	<i>Long Term</i>
<i>Residential Uses</i>			
	<i>Detached dwellings</i>	<i>Not required</i>	<i>Not required</i>
	<i>Single family attached dwellings</i>	<i>Not required</i>	<i>Not required</i>
	<i>Multi-family dwelling containing 4 or more dwelling units</i>	<i>2 spaces or 1 space per 20 dwelling units</i>	<i>1 space per dwelling unit</i>

RESPONSE: This development includes only single-family residential development; therefore bicycle parking is not required in accordance with the requirements of Section 60.30.05.3. These criteria are not applicable.

7. ***Exceeding Parking Ratios.*** *More parking spaces for motor vehicle and bicycle parking may be required as a condition of a Conditional Use. Variation from the specified minimum or maximum number of required motor vehicle and bicycle parking spaces may be approved by the City subject to Section 40.10.15.2. (Major Adjustment) of this Code. However, if surplus parking is located in a parking structure, the parking ratios may be exceeded without requiring an approval of a Major Adjustment for parking.*

Any surplus parking may be designed to any of the City standards for off-street parking lot design. The Facilities Review Committee may recommend approval of parallel parking spaces or other non-standard designs for surplus parking in any zone.

RESPONSE: No variation from a minimum or maximum number of vehicle or bicycle parking spaces is proposed. This criterion is met.

8. ***Residential Parking Dimensions.*** *For all residential uses, any required parking space shall not be less than 8 1/2 feet wide and 18 1/2 feet long. (See also Section 60.30.15. (Off-Street Parking Lot Design) for other standards.)*

RESPONSE: All required parking spaces have been designed at 8.5 feet in width and 18.5 feet in depth. This criterion is met.

9. ***Parking Space Calculation.***

- A. *Multiple Uses.* In the case of multiple uses, the total requirements for off-street vehicle and bicycle parking facilities shall be the sum of the requirements for the various uses computed separately.

RESPONSE: No multiple-use parking is proposed; therefore, these criteria do not apply.

10. ***Location of Vehicle Parking***

- A. *All parking spaces provided shall be on the same lot upon which the use requiring the parking is located. Upon demonstration by the applicant that the required parking cannot be provided on the same lot upon which the use is located, the Director may permit the required parking spaces to be located on any lot within 200 feet of the lot upon which the use requiring the parking is located.*

RESPONSE: Required spaces for the single-family homes and attached single-family homes are provided in attached garages/driveways on individual lots. This criterion is met.

- B. *Except for single-family and duplex dwellings, groups of more than two parking spaces shall be so located and served by an access that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley.*

RESPONSE: No grouped parking spaces are proposed, with the exception of single family lots, where vehicles may park on the driveway.

- C. *In R10, R7, R5 and R4 zones parking and loading spaces may be located in side and rear yards and may be located in the front yard of each dwelling unit only if located in the driveway area leading to its garage.*

RESPONSE: Only the single-family detached units and attached single family units will have parking in yard areas, which will consist of individual driveways located in front yards, leading to the garage serving the dwelling on the lot. This criterion is met.

- D. *Parking in the front yard is allowed for each dwelling unit in the driveway area leading to its garage. Also, one additional space shall be allowed in that area in front of the required side yard and closest to the driveway subject to the following conditions:*

1. *The owner of the lot upon which the space is sought shall enter into a written agreement allowing the space with the owner of the property on that side closest to the proposed additional space. This agreement shall be binding on the successors in interest to the*

property of both parties and shall be recorded with the Washington County Department of Records and Elections.

2. *Notwithstanding the agreement of the property owners, the additional space shall not be allowed if it creates a traffic sight obstruction.*
3. *The additional space shall be hard surfaced.*

RESPONSE: No parking is proposed in yard areas, outside of the front yard driveway parking described above. The additional criteria above do not apply.

11. ***Reductions and Exceptions.*** *Exceptions to the required vehicle and bicycle parking standards as listed in Sections 60.30.10.5. and 60.30.10.6. may be granted in the following specific cases:*

RESPONSE: No exceptions are requested. This criterion does not apply.

12. **Compact Cars.** *Compact car parking spaces may be allowed as follows:*

RESPONSE: No compact car parking spaces are required or proposed. This criterion does not apply.

13. ***Carpool and Vanpool Parking Requirements.***

- A. *In industrial, institution, and office developments....*

RESPONSE: All proposed uses within the site are residential. This criterion does not apply.

- 60.30.15. ***Off-Street Parking Lot Design.*** *All off-street parking lots shall be designed in accordance with City Standards for stalls and aisles as set forth in the following drawings and tables:*

RESPONSE: No off-street parking lots are required or proposed. This criterion does not apply.

60.33. *PARK AND RECREATION FACILITIES AND SERVICES PROVISION.*

60.33.10. *Annexation to THPRD.*

Except as provided in Section 60.33.15, the approval of a Conditional Use, Design Review or Land Division application for any property located in the City of Beaverton, and not within THPRD's boundaries, shall be conditional on the submittal of a legally sufficient petition to annex the property to THPRD; issuance of building permits shall be delayed until the annexation is effective. Delay of issuance of building permits until after the annexation is effective may be waived as a condition of approval by the review authority if the applicant agrees

in writing to pay the appropriate THPRD Systems Development Charge for all building permits issued prior to the effective date of annexation.

RESPONSE: The applicant will submit a legally sufficient petition to annex the subject site to THPRD prior to building permit issuance. The applicant understands that conditions of approval may be included by the review authority if the applicant agrees in writing to pay the appropriate THPRD Systems Development Charge for all building permits issued prior to the effective date of annexation. The applicant would support the imposition of such a condition.

60.33.15. *Waiver of Requirement.*

Any proposed development that can document to the City's satisfaction that it will provide park land, recreation facilities and services at a level similar to that provided by THPRD may have the requirements of Section 60.33.10 waived by the City. See Section 40.93.15.

RESPONSE: The applicant has not requested a waiver of the THPRD annexation requirements.

60.35. *PLANNED UNIT DEVELOPMENT.*

60.35.05. *Purpose.* *It is the purpose of these provisions to allow a Planned Unit Development (PUD) in any City zoning district. Uses or combinations of uses may be developed as a single, integral, functional unit or entity. The PUD provisions are intended to encourage innovation and creative approaches for developing land while enhancing and preserving the value, character, and integrity of surrounding areas which have developed or are developing under conventional district regulations. This is to be accomplished by using the following development and design principles: [ORD 4584; June 2012]*

- 1. Site design shall use the flexibility afforded by the planned unit development to:*
 - A. Provide setbacks and buffering through landscape or building design abutting to existing development;*
 - B. Cluster buildings to create open space and protect natural resources;*
 - C. Provide for active recreation and passive open space;*
 - D. Use resource efficient development and building practices that encourage innovative design techniques and construction practices that use energy saving technology.*

RESPONSE: The subject development provides a range of open space areas, including the preservation and enhancement of existing natural features along the south-eastern boundary and the creation of a community trail in this area. Excellent pedestrian and bicycle connectivity is provided to these amenities to encourage active recreation opportunities, while creating accessible views and vistas. This purpose is met.

2. *Site design shall maximize the opportunities for diversified architecture and outdoor living environments that respond to the existing site context by exploring design flexibility for siting structures, open spaces, circulation facilities, off-street parking areas, streetscapes, resource conservation, and creation of other site improvements that facilitate efficient use of land and create a comprehensive development plan which is better than that resulting from traditional subdivision development;*

RESPONSE: Working within the site constraints of topography and natural resources, the proposed planned development allows for the creation of high levels of connectivity and circulation while accommodating densities meeting the requirements of the applicable districts, and providing for collector and neighborhood route streets. A range of housing types are provided, including small and large lot single family dwellings, and front- and rear-loaded single- family detached dwellings. Natural resource areas are conserved, and open space opportunities are provided. This purpose is met.

3. *Building architecture including detached residential, shall use innovative design that should consider the context of the existing built and natural environment. Buildings shall be architecturally detailed, and of a size and mass that contribute to a pedestrian-friendly streetscape, and respond to the natural features of the site. Cluster housing, such as Courtyard, Patio, or Cottage development, that groups buildings in areas to maximize open space and preserve significant cultural and natural resources is highly encouraged as are the use of sustainable building materials and practices. The orientation of buildings should promote human scaled and pedestrian friendly environments and maximize solar exposure for passive solar gain;*

RESPONSE: Indicative building plans and materials have been provided to demonstrate the quality design and building construction proposed for the development. Each building will include attractive architectural detailing, and the range of housing types will serve to create an attractive, varied, and interesting pedestrian environment. Final individual building design will be confirmed prior to building permit issuance, but will reflect the high quality built environment anticipated above. This purpose is met.

4. *Open space should provide opportunities for active and/or passive recreation that includes preservation of natural and cultural resources. Good site design shall retain and protect special topographic, natural, and environmentally sensitive features and existing Significant Groves and Historical and Individual trees should be retained and protected. Understory and the use of native plant material and sustainable landscape practices are encouraged.*

RESPONSE: The planned development proposes several open space areas throughout the site, providing passive and active recreational opportunities. In particular, the application will retain the existing drainageway along the south-eastern property boundary, and create a portion of the SCMCP Community Trail along the resource, to provide community access to this facility, and the chance to interact with significant natural features on the site. This purpose is met.

60.35.10. *Modification of Base Zoning Standards.*

1. *Permitted Uses.*

- A. *The uses in a PUD shall comply with the Permitted and Conditional Use requirements of the zoning district.*

RESPONSE: The development proposes attached and detached residential dwellings, which are allowed uses within the applicable R2, R4, R5, and R7 zoning districts.

- B. *Detached and attached dwellings may be allowed in a PUD provided the overall residential density satisfies the applicable residential density provisions of this Code.*

RESPONSE: As described in response to Section 20.25.05, the overall minimum and maximum density for the PUD is 198 units and 248 units respectively. The 238 units proposed therefore satisfies the applicable residential density provisions of this Code

- C. *In addition to the accessory uses and structures typical in the zoning district in which the PUD is located, accessory uses approved as a part of a PUD may include, but are not limited to the following:*
1. *Private or public park, lake or waterway;*
 2. *Recreation area;*
 3. *Recreation building, clubhouse or social hall; or*
 4. *Other accessory uses or structures which the Planning Commission finds are designed to serve primarily the residents of the PUD, and are compatible with the neighborhood and to the design of the PUD.*

RESPONSE: Several open space recreation areas are proposed with this application including those associated with the community trail, and the open space areas in the north-east corner of the site. Programming for this area includes a half-court basketball facility, benches, and a covered picnic area, with attractive landscaping. These spaces will be developed as part of the PUD.

2. *Density and Lot Dimensions.* Density and building scale shall relate to the surrounding neighborhood development and natural resources by providing massing and architectural compatibility with the surrounding neighborhood.

A. *Density Transfers.*

1. *A density transfer allows an equal transfer of dwelling units from one portion of the site to another. Density transfers are allowed for the following areas:*

- a. *Area within a floodplain;*
- b. *Area over twenty-five (25) percent slope;*
- c. *Known landslide areas or areas shown to have potential for severe or moderate landslide hazard;*
- d. *Area in designated resource areas including: significant tree groves, wetlands, riparian corridors, and their associated buffers;*
- e. *Areas constrained by monitoring wells and similar areas dedicated to remediation of contaminated soils or ground water;*
- f. *Parks, trails, or both in tracts;*
- g. *Areas similar to those in a through f above, as approved by the Planning Commission through the PUD process.*

RESPONSE: No density transfers are proposed as part of this application.

B. Residential Lot Sizes.

- 1. *Minimum lot size may be reduced to 50 percent of the minimum land area of the applicable zoning district(s), except as permitted in 60.35.10.3.B.2.*

RESPONSE: All lots within the Planned Unit Development exceed 50% of the minimum land area requirement in each district. Minimum lot sizes for each district, compared to the required lot size, are as follows:

Zoning District	Required Lot Size	Minimum Proposed Lot Size	% of Required
R2	2,000 sf	1,600 sf (multiple lots)	80%
R4	4,000 sf	3,049 sf (Lot 91)	76%
R5	5,000 sf	3,932 sf (Lot 75)	79%
R7	7,000 sf	4,637 sf (Lot 12)	66%

- 2. *Minimum lot size proposed between 25 percent and 50 percent of the minimum land area of the applicable zoning district, shall meet the applicable Design Standards or Design Guidelines related to Compact Detached Housing in Section 60.05 of the Development Code and is at the discretion of the Planning Commission.*

RESPONSE: No proposed lots are below 50% of the minimum land area of the applicable zoning district, therefore this standard is not applicable.

- 3. *Maximum lot size may not exceed 195 percent of the minimum land area of the applicable zoning district(s) in conformance with the table below unless designated for a future phase, which includes*

further division of property or development of attached product. When the maximum density for the parent parcel has been achieved or a lot is greater than 195 percent of the base zone, the oversized lot(s) shall include a deed restriction to preclude unintended partitioning or subdividing of such lots in accordance with the requirements of the approved PUD.

RESPONSE: All lots within the Planned Unit Development contain less than 195% of the land area requirement in each district. Maximum lot sizes for each district, compared to the required lot size, are as follows:

Zoning District	Required Lot Size	Maximum Proposed Lot Size	% of Required
R2	2,000 sf	3,648 sf (Lot 101)	182%
R4	4,000 sf	6,764 sf (Lot 82)	169%
R5	5,000 sf	6,773 sf (Lot 38)	135%
R7	7,000 sf	10,744 sf (Lot 30)	153%

4. *A proposed Planned Unit Development shall not result in fewer dwelling units (lower density) than if the subject site were reviewed as a Preliminary Subdivision.*

RESPONSE: The proposed Planned Unit Development contains 238 lots, which is equal or greater than the number of lots if the subject site were reviewed as a Preliminary Subdivision, and is within the minimum and maximum densities for the site.

3. *Setbacks.*

- A. *The dimensional standards for the applicable zoning district as listed in Chapter 20 may be modified through approval of a Planned Unit Development, except for the following situations:*

1. *For proposed lots abutting the perimeter of the property, the required setbacks shall comply with the standard front and rear setbacks of the parent parcel.*
 - a. *Where the side yard of the parent parcel abuts existing development the setback for new development shall not be reduced, except by meeting 60.35.10.3.A.1.b below.*
 - b. *By meeting the Development Bonus and Development Incentive Options in Section 60.35.30 the setbacks of proposed perimeter parcels may be reduced by up to ten (10) percent upon approval of the Planning Commission.*

RESPONSE: As described previously in response to Section 40.15.15.4.C.3, the proposal will meet the required front, rear, and side setbacks for the parent parcel. Therefore, the development complies with this requirement.

2. *Where standard modifications would not promote pedestrian or bicycle connection to the street; support storm water management; or meet fire and building codes.*

RESPONSE: All proposed modifications serve to facilitate enhanced site design, functionality and circulation. All requirements regarding stormwater management and compliance with fire and building codes will be met, as applicable.

B. Front Setbacks.

The following shall apply to all lots within a proposed residential development(s); except lots proposed along the perimeter of the subject site, which shall be consistent with Section 60.35.10.3.A.1.

1. *Front setbacks for a residential structure, interior to a Planned Unit Development may be reduced, excluding the garage where the garage door faces the front property line. Structures shall not encroach into a public utility easement.*

RESPONSE: The applicant requests the following front yard setbacks, excluding garage vehicle entryways facing the street, as part of the planned development application. No structures will encroach into public utility easements. As lots adjacent to the north, or front property line, of the parent parcel are separated from the perimeter by 37 feet of right-of-way, no additional perimeter setback shall apply.

Zoning District	Required Front Yard Setback	Proposed Front Yard Setback
R2	10 feet	10 feet to front building wall 8 feet to Porch
R4	10 feet	10 feet to front building wall 8 feet to Porch
R5	15 feet	15 feet to front building wall 12 feet to Porch
R7	17 feet	15 feet to front building wall 12 feet to Porch

2. *All single-family attached and detached garages that face a public or private street shall be setback a minimum of twenty (20) feet from property line. Attached and detached garage door façade(s) shall be set back a minimum of four (4) additional feet from the set back of the front of the building, not including porches, when facing a public or private street. All other garage and carport entrances must be set back a minimum of two (2) additional feet*

when the set back of the front of the building is at least twenty (20) feet.

RESPONSE: All street facing garages will be setback a minimum of 20 feet from property line, and no less than 4 feet behind the setback of the front of the building, not including porches.

C. Rear setbacks.

- 1. Rear setbacks shall be the same as the designated zone for the parent parcel for lots abutting the perimeter of the proposed development excepting alley accessed lots for which rear setbacks may be reduced to four (4) feet for alley-accessed lots with no less than a 20-foot alley width.*
- 2. Garages and carports accessed from both sides of an alley shall be setback a minimum of four (4) feet with no less than 28-feet between garage doors.*

RESPONSE: The applicant requests the following rear yard setbacks as part of the Planned Unit Development application, and as specified for both front loaded and rear loaded units in the R2 Zoning District. Regarding perimeter setbacks, in accordance with the definition of a rear lot line under Chapter 90 of the Beaverton Development Code, a rear lot line is one which is opposite to and most distant from the front lot line. In the case of an irregular or triangular-shaped lot, as is the case with the subject development property, a lot line ten feet (10') in length within the lot parallel to and at the maximum distance from the front lot line forms the rear lot line. In this case, then, the rear lot line can be considered to be a line extending east and west for 10 feet in the south-western corner, where proposed Lot 29 meets SW Strobel Road. The requested R7 Rear Yard setback of 15 feet will be applied to this 10-foot line. Therefore, the development complies with the rear yard perimeter setback of the parent parcel.

Zoning District	Required Rear Yard Setback	Proposed Rear Yard Setback
R2	15 feet	12 feet front loaded 4 feet alley loaded
R4	15 feet	15 feet
R5	20 feet	15 feet
R7	25 feet	15 feet

- D. Side setbacks. Except for zero-lot line development, side setbacks internal to the Planned Unit Development, shall be a minimum of three (3) feet with a total of six (6) feet between two buildings. In no case shall a building encroach into a Public Utility Easement (PUE). All zero-lot line development shall have side yard setbacks of 10 feet on one side of the dwelling unit and no setback required on the opposite side.*

RESPONSE: The applicant requests the following side yard setbacks as part of the planned development application. No structures will encroach into public utility easements. While

interior attached units will have setbacks of 0 feet, this is not considered zero-lot line development as described above. Perimeter side yard setbacks of 5 feet will be applied along the east and west lines of the parent parcel.

Zoning District	Required Side Yard Setback	Proposed Side Yard Setback
R2	0 or 5 or 10 ⁵ feet	0 feet attached sides 5 feet all detached sides; except 8 feet street sides
R4	0 or 5 feet 10 or 5 ⁶ feet	3 feet sides; except 8 feet street sides
R5	5 feet	4 feet sides; except 8 feet street sides
R7	5 feet	5 feet sides; except 8 feet street sides

5. If dwellings are attached 0 side yard. Side which is not attached 5 feet. If abutting lower density residential zone 10 feet.
6. If dwellings are detached, 5 feet. If dwellings are attached, 0 feet with 10 feet for sides not attached. [ORD 4584; June 2012]

60.35.15. Open Space.

Open space shall provide opportunities for active and/or passive recreation and may include existing stands of trees, resource areas, and storm water facilities as outlined in this section. Active open space shall allow human activities including recreational and social opportunities such as play fields, playgrounds, swimming pools, plazas and other recreational facilities. Open space may also be passive and include human activities limited to walking, running, and cycling, seating areas and wildlife viewing or natural areas such as a wetland.

1. *A Planned Unit Development shall provide baseline open space of an area equal to at least twenty percent (20%) of the subject site.*
2. **Exemptions.** *Properties within the South Cooper Mountain Community Plan Area are exempt from the open space requirements in Section 60.35.15.1, but shall provide all community features, including but not limited to, trails, habitat benefit areas, and scenic views identified in the South Cooper Mountain Community Plan, as identified in Section 60.35.25.*

RESPONSE: The proposed Scholls Valley Heights subdivision is located within the SCMCP area, and therefore this application is exempt from the 20% minimum open space requirement described above. Open space area within the proposed development will be provided in accordance with this section, and Section 60.35.25.

3. ***Open Space Standards.*** *Open space shall be land that is available for the creation of active and/or passive areas, or resource areas that provide visible and accessible open space to the proposed community.*

- A. *The following resource areas may count towards passive open space requirements: Significant trees and/or groves, habitat benefit areas, view corridors, steep slopes, water quality facilities, environmentally sensitive areas including wetlands and any buffers required by Clean Water Services or other regulatory body, and other resources as deemed appropriate by the decision maker.*

RESPONSE: The applicant proposes to utilize the following areas as passive open space. These areas may be considered open space in accordance with the requirements above. Designated open space areas are shown on the included Open Space Exhibit. In accordance with the requirements of the SCMCP and the Beaverton Development Code, the applicant is required to, at a minimum, provide sufficient passive open space areas to meet or exceed those areas on the site designated as trails, Class A and B Upland Habitat, and Class I and II Riparian Wildlife Habitat. While these areas have been refined through Sensitive Areas Assessment, based on information provided by City of Beaverton staff the area of the site identified as including these natural resource designations in the SCMCP is approximately 117,353 sf (2.69 acres), and therefore greater than this amount of passive open space is required. The amount of Passive Open Space required is provided in the Open Space Tab, Open Space Exhibit, Application Binder 2 of 2. Passive open space as proposed is approximately 205,215 sf, which greatly exceeds the requirements of this section.

Location	Area	Description
Tract A – Stormwater Facility	2.87 acres (96,321 sf)	Storm water facility, including seating and educational signage.
Tract B – Passive Open Space	1.88 acres (81,980 sf)	Wetland and associated habitat benefit areas/Clean Water Services buffer areas
Tract C – Stormwater facility	0.62 acres (26,914 sf)	Storm water facility, including trail along west and south sides.
Total	4.71 acres (205,215 sf)	

- B. *Open space shall be easily accessible, physically or visually, to all members of the planned community via a minimum thirty (30) foot wide street frontage or access easement;*

RESPONSE: All open space areas will be accessed directly from the street, with the exception of Tract B above, which will be accessed via trail segments meeting the access requirements of THPRD from SW Strobel Road.

- C. *No more than sixty (60) percent of the gross land dedicated to active open space may have slopes greater than five (5) percent.-Additional reductions to this standard may be granted by the Planning Commission based on the context of the proposed amenities and existing site conditions.*

RESPONSE: Per Section 60.35.15.E. below, a minimum of 0.70 acres of active open space is required. Each of Tracts B and F contain active open space, with a gross land area of active open space of 1.13 acres being provided. Accordingly, no more than 0.68 acres ($1.13 \times 60\% = 0.678$) of active open space may have slopes greater than five (5) percent. A slopes analysis reveals that 0.66 acres (28,730 sf) of the site, or 58% ($0.66/1.13 = 0.584 = 58\%$) of the provided active open space has slopes greater than 5 percent, consistent with the requirements of this Section.

D. Open space areas shall have a dedicated meter and underground irrigation system to ensure adequate water supply during establishment period (3-years) and during periods of drought for all newly planted areas. Resource areas are exempt from this criterion.

RESPONSE: Landscaping within Tract B (outside the wetland and CWS vegetated corridor areas) and Tract F will be provided with a dedicated meter and underground irrigation system as necessary to ensure adequate water supply during the establishment period (3-years), and during periods of drought.

E. For developments ten (10) acres or greater, at least twenty-five (25) percent of the total required open space area shall be active open space and subject to the provisions of 60.35.15.4.

RESPONSE: The Scholls Valley Heights development site consists of 36.5 acres, and is therefore subject to the requirements of this Section. As described above, 2.69 acres of passive open space is required to be provided as part of this Planned Unit Development. As such, the minimum required active open space area equals 29,294 square feet, or 0.67 acres ($117,353 \times 25\% = 29,294$ sf). The applicant proposes to greatly exceed this requirement, with 1.16 acres of active open space area proposed as follows:

Location	Area	Description
Tract B – Open Space	0.83 acres (36,368 sf)	Trail and open spaces areas outside of wetland/CWS VC
Tract F – Open Space	0.33 acres (14,331 sf)	Active open space park area
Total	1.16 acres (50,699 sf)	

F. For the purpose of this Code, open space does not include:

- 1. Public or private streets;*
- 2. Surface parking lots or paved areas not designated for active or passive recreation;*
- 3. Private lots and buildings including setbacks or landscape buffers. However, community buildings, community rooms, or both developed for the common use and ownership of the residents within a Planned Unit Development may be counted as open space.*
- 4. Vehicular access driveways or maneuvering areas.*

RESPONSE: The above designated area types have not been used to calculate open space requirements

4. **Active Open Space.** *Active open space areas are common areas that may be gathering spots, community rooms, play areas, overlooks, or any that consist of active uses for owners, residents, or the community at large. Active open space shall meet the following criteria:*

A. *Active open space that is provided outdoors shall be no smaller than the minimum lot size requirement of the underlying zoning district with a minimum width 40 feet. For properties in multiple use zoning districts with no minimum lot size active open space areas shall be a minimum of 5,000 square feet in area. The Planning Commission may modify this requirement to accommodate trails, overlooks, and other types of recreational features which serve the residents of the development.*

RESPONSE: Tract B is located within the R7 Zoning District and has an active open space component of 36,368 square feet, which greatly exceeds the 7,000-square foot lot size of the district. Located in the R2 Zoning District, Tract F, at 14,331 square feet, greatly exceeds the 2,000-square foot lot size of the district. Both tracts have a width of greater than 40 feet, meeting the requirements of this section.

B. *Active open space may abut a Collector or greater classified street as identified in the City's adopted Functional Classification Plan, when separated from the street by a constructed barrier, such as a fence or wall, at least three (3) feet in height.*

RESPONSE: None of the active open space areas abut a collector or greater classified street. This criterion is not applicable.

C. *Active Open Space shall be physically accessible to all residents of the development.*

RESPONSE: Active open space will be physically accessible to all residents of the development, with Tract F accessed directly from sidewalks adjacent to public streets, and the area located within Tract F accessed by trail segments built in accordance with THPRD requirements. This criterion is met.

D. *Active open space shall include physical improvements to enhance the area. Physical improvements may include; benches, gazebos, plazas, picnic areas, playground equipment, sport courts, swimming/wading pools, indoor clubhouses or meeting facilities, play fields, or other items permitted by the Planning Commission.*

RESPONSE: Programming for Tract F includes a half-court basketball facility, benches, and a covered picnic area, with attractive landscaping. These spaces will be developed as part of the PUD.

- E. *Floor area within buildings devoted to common uses which serve the residents of the development, such as indoor pools, game rooms, or community rooms, may be counted towards Active Open Space requirements based on the total floor area devoted to such uses.*

RESPONSE: The development does not include buildings devoted to common uses which serve the residents of the development.

- 5. ***Maintenance and Ownership.*** *Land shown on the final development plan as common open space, and landscaping and/or planting contained therein shall be permanently maintained by and conveyed to one of the following:*
 - A. *An association of owners or tenants, created as a non-profit corporation under the laws of the state (ORS 94.572) which shall adopt and impose articles of incorporation and bylaws and adopt and impose a declaration of covenants and restrictions on the common open space that is acceptable to the City Attorney as providing for the continuing care of the space. Any subsequent changes to such CC&Rs regarding open space must be approved by the City Attorney. Such an association shall be formed and continued for the purpose of maintaining the common open space and shall provide for City intervention and the imposition of a lien against the entire planned unit development in the event the association fails to perform as required; or*
 - B. *A public agency which agrees to maintain the dedicated open space and any buildings, structures, or other improvements which have been placed on it.*
 - C. *Dedicated open space shall be protected by Covenants (CC&Rs) or deed restriction to prevent any future commercial, industrial, or residential development.*

RESPONSE: The applicant will convey maintenance and ownership responsibilities for all open space areas to a Home Owners Association, in accordance with the above requirements. Covenants, Conditions, and Restrictions on the common open space will be submitted for approval by the City Attorney providing for the continuing care of the space, and to prevent any future commercial, industrial, or residential development.

60.35.20. *Building Architecture.*

- 1. ***Purpose.*** *This section applies to development which is not subject to Section 60.05. (Design Review) of this code.*

The following architectural standards are intended to promote innovative design that considers the context of the existing built and natural environment. Buildings shall be detailed, human-scale, and respond to the natural features of the site. Cluster housing or grouping buildings in areas to maximize open space and preserve significant cultural and natural resources is highly encouraged along with the use of sustainable building materials and practices. Building shall be oriented to the street or other public spaces such as parks, plazas, courtyards and open commons when served by an alley. This building architecture section also offers applicable Development Bonuses and Development Incentive Options in Section 60.35.30.

RESPONSE: This Planned Unit Development includes 139 single-family detached dwelling units, and 99 single-family attached units. Only the 139 single-family detached units are subject to the requirements of this section. The applicant has elected to withdraw the application for Design Review II, and no attached unit elevations are required. However, it is noted that the applicant has submitted indicative elevations in order to support the proposed Planned Development, and the requested unit types, setbacks, and heights. Following preliminary approval, the applicant acknowledges that a Design Review application will be required following the provisions of Sections 40.20. and 60.05. of the Development Code of the City of Beaverton, prior to construction of any attached units within the development.

2. ***Building Orientation.*** *Buildings shall be oriented to the street or other public spaces such as parks, plazas, courtyards and open commons when served by an alley. The orientation of buildings shall promote environments that encourage walking, social interaction, and safety.*

A. *Exceptions to this standard may be allowed by the Planning Commission where access, topography, and natural resources prohibit the orientation of buildings to the street or other public open spaces.*

RESPONSE: As shown on site plans submitted with the application, all single-family detached lots are oriented to a street. This requirement is met without need for exceptions.

B. *In all cases buildings and or private lots shall be served by or have direct access to sidewalks or paths that connect to a private or public street/sidewalk system.*

RESPONSE: As shown on site plans submitted with the application, all single-family detached lots have sidewalks or paths connecting directly to a public or private sidewalk system. This requirement is met.

C. *Garages with rear alley access or garages located in the rear of the lot with shared driveways are encouraged.*

RESPONSE: While rear loaded access via an alley is predominantly utilized for the single-family attached units within the site, 4 lots, being Lots 201 – 204, will contain single-family detached units with rear loaded alley access. This is permitted under this Section.

- D. All buildings shall have their primary entrance to a street or publicly accessible sidewalk where buildings face public parks, common areas or open space.*

RESPONSE: As shown on site plans submitted with the application, all single-family detached lots have their primary entrance to a street, and connecting directly to a publicly accessible sidewalk. This requirement is met.

- E. All primary entrances shall be covered or recessed with a minimum depth of three (3) feet deep and five (5) feet wide.*

RESPONSE: Sample building elevations have been submitted for a range of single-family detached lot widths within the development across the R4, R5, and R& Zoning Districts. These elevations demonstrate that all primary entrances shall be covered or recessed with a minimum depth of three (3) feet deep and five (5) feet wide. This requirement is satisfied.

- 3. *Building Heights.*** *Buildings shall be to scale with similar types of existing structures on adjacent properties. This can be accomplished by utilizing graduated building heights which offer a transition between single-story residential development and multiple-story residential.*

- A. Maximum building height standards may be increased up to twelve feet (12') when the applicable building setback distance along the perimeter of the parent parcel is increased at a ratio of 1.5 additional feet of setback for every foot of building height over the base zone standard for building height.*

RESPONSE: While it is anticipated that dwellings in each applicable zone will conform to the base building height of the zone, the applicant requests the ability to increase the maximum building height in each zone by up to 12 feet. Compliance with the building height and setback requirements, including Section 60.35.20.3.A above particularly as it relates to the exterior of the parent parcel, will be determined at the time of building permit issuance for each lot. This criterion is satisfied. See the table below for further details.

Zoning District	Maximum Building Height	Proposed Maximum Building Height
R2	40 feet	52 Feet
R4	35 feet	47 feet
R5	35 feet	47 feet
R7	35 feet	47 feet

- B. For the South Cooper Mountain Community Plan area, structures that do not abut the exterior boundary of the plan area, may be allowed to vary*

building heights, without satisfying the graduated building height transitions of Section 60.35.20.3 in order to provide for a variety in housing types within developments.

RESPONSE: As described above, while it is anticipated that dwellings in each applicable zone will conform to the base building height of the zone, the applicant requests the ability to increase the maximum building height in each zone by up to 12 feet, in order to facilitate variation in housing types within the development. Within this development, structures that do not abut the exterior boundary of the plan area may vary building heights without satisfying the graduated building height transitions of the above sections. This criterion is satisfied.

C. Graduated building height standards shall not apply where existing structures on adjacent properties are rural in their development or use.

RESPONSE: No similar structures on adjacent properties exist in the immediate vicinity of the subject site.

4. *Architectural Standards.* *Architectural standards are intended to promote quality design and detail that promote innovation and creativity that allows for a variety of building styles and types. The following standards apply to all single-family developments proposed through the PUD process. Attached residential structures, Compact Detached Housing, and commercial, industrial, and multiple use buildings are subject to the Design Standards or Guidelines of Section 60.05 of the Development Code.*

A. Building scale and massing shall complement surrounding uses by complying with the provisions in this Code and meeting the following criteria for residential development.

RESPONSE: As demonstrated in the sample single-family detached elevations submitted with this development, architectural design including building scale and massing will compliment and be compatible with surrounding uses. Building styles will be consistent with those used elsewhere within the local area.

B. Front façade elevations shall not be repeated on adjacent lots along the same street frontage.

RESPONSE: While the final location of housing types will be determined prior to building permit issuance, front façade elevations will not be repeated on adjacent lots along the same street frontage. In addition, the variety of lot widths within the development will further emphasize variety and interest within the development.

C. All detached residential structures shall include design elements that provide building articulation, continuity of form and variety. Architecture should avoid long expanses of uninterrupted building surfaces. Buildings shall incorporate at least six (6) of the following building elements on the

front, rear, common open space, and street facing elevations and four (4) of the following elements on interior side yard elevations:

- 1. Window reveals, canopies, awnings, and covered patios.*
- 2. Balcony on the same façade as the main entrance. The balcony must be at least 48 square feet and a minimum 8 feet wide, and must be accessible from the interior living space of the house.*
- 3. Porches on the front elevation that have dimensions of at least eight feet wide and six feet deep, and are covered by a roof supported by structurally integral columns, cables or brackets.*
- 4. Three or more gables.*
- 5. Offsets in roof elevations of two (2) feet or greater;*
- 6. A primary sloped roof that is no flatter than 6/12 and no steeper than 12/12.*
- 7. Bay or bowed windows extending out from the front building elevation that reflect an internal space such as a room or alcove.*
- 8. Elevations on residential units facing streets, common greens and shared courts having at least 40 percent of the elevation area on each floor permanently treated with windows.*
- 9. Window shutters on windows.*
- 10. Staggered windows that do not align with windows on adjacent properties and minimize the impact of windows in living spaces that may infringe on the privacy of adjacent residents.*
- 11. Windows grouped together to form larger areas of glazing, if individual window units are separated by moldings or jambs.*
- 12. Windows with multiple panes of glass or designed to mimic the look of multiple panes.*
- 13. Window patterns, building articulation and other treatments that help to identify individual residential units.*
- 14. Dormers.*
- 15. Trim markings provided for roof lines, porches, windows and doors on all elevations. The trim must be at least 3-1/2 inches wide.*
- 16. Weather protection for primary building entrances that exceed 7½ feet wide by five feet deep.*
- 17. An attached garage with a gable or hip roof, or with a second story above the garage.*
- 18. Building face or roof offsets (minimum 12 inch offset).*
- 19. The use of differentiated exterior siding materials. In general, materials should change on horizontal planes, not vertical planes. Types of siding materials may include:*
 - a. Horizontal lap siding, including simulated horizontal lap siding where the boards in the pattern are 6 inches or less in width;*
 - b. Vertical cedar siding;*
 - c. Beveled siding,*

- d. *Shingles*
 - e. *Stucco*
 - f. *Brick*
 - g. *Stone or manufactured stone*
 - h. *Scored masonry*
 - i. *Changes in a combination of texture, pattern or color of a single material*
- 20. *Decorative structural accents such as kneebrackets or corbels, widow walks, turrets, hooded windows, pinnacles and pendants, pillars or posts, board and batten, or other architectural vernacular style common to the Pacific Northwest.*
 - 21. *Permanent planter boxes of at least 25 square feet constructed as an extension of a front elevation or primary building entrance.*
 - 22. *A landscaped courtyard of at least 100 square feet located as a transition element between a primary building entrance and a street, common green or shared court. The landscaping within the courtyard shall exceed the minimum requirements of Section 60.05.25.4. by 15%.*
 - 23. *An alternative feature approved by the Planning Commission.*

RESPONSE: As shown on the sample single-family detached elevations submitted with the application, each dwelling will incorporate at least six (6) of the above building elements on the front, rear, common open space, and street facing elevations and four (4) of the above elements on interior side yard elevations. No alternative features are requested.

- D. *Building elevation is measured as the horizontal plane between the lowest plate line and the highest plate line of any full or partial building story containing doors, porches, balconies, terraces and/or windows.*

RESPONSE: The applicant will utilize the above measurement when determining compliance with the requirements of this Section.

- E. *Alternative building design may reflect modern building form and style. These styles may have less detail or ornamentation but shall have demonstrated successful use of materials and form, and a cohesive architectural style and be approved by the Planning Commission.*

RESPONSE: No alternative building designs are requested.

60.35.25. South Cooper Mountain Community Plan [ORD 4654; March 2015]

The South Cooper Mountain Community Plan is part of the Comprehensive Plan for the City of Beaverton. It provides regulatory policies and maps, along with descriptions and illustrations of the context for those policies and maps, for 544 acres within the southwestern area of the City of Beaverton. This section of the Development Code of the

City of Beaverton outlines specific implementation requirements and connections to the policies of the South Cooper Mountain Community Plan.

1. *Proposals within the South Cooper Mountain Community Plan area shall demonstrate compliance with the following applicable South Cooper Mountain Community Plan policies and figures:*

A. *Land Use:*

1. *Land Use Implementation Policy 6: location criteria guiding the selection of appropriate sites for Neighborhood Parks and Elementary Schools.*
6. *The City will support efforts by THPRD and Beaverton and Hillsboro School Districts to find, acquire and develop appropriate sites for neighborhood parks and elementary schools within the Community Plan area. The following location criteria shall guide the selection of appropriate sites:*
 - a. *Neighborhood Parks*
 - i. *Two to four acres per neighborhood park of unconstrained, relatively level land for active recreation facilities*
 - ii. *Good frontage on a local street or Neighborhood Route with on-street parking*
 - iii. *Good connections to trails*
 - iv. *Focal points for neighborhoods, with walkable “catchment areas”*
 - v. *Co-location adjacent to a school is highly desirable*
 - b. *Elementary Schools*
 - i. *Eight to ten acres of unconstrained, relatively level land per elementary school*
 - ii. *Good access from Neighborhood Routes or Collector roads*
 - iii. *Generally not adjacent to an arterial road*
 - iv. *Focal points for neighborhoods, centrally-located within walkable attendance areas*
 - v. *Opportunities to co-locate schools adjacent to parks should be sought*

RESPONSE: The applicant has considered the location of both Park District and School District facilities within the site for development of Neighborhood Parks and Elementary Schools. However, due to site topography, it was determined that insufficient relatively level land exists within the development boundaries for such uses. The community trail designated by the SCMCP on the site will be constructed along the southeastern boundary, along with a focal active open space in the northwestern portion of the site.

2. *Neighborhood and Housing Policy 1: neighborhood design principles for creating walkable neighborhoods.*
 1. *Development shall contribute to creating walkable neighborhoods. This policy is implemented by demonstrating consistency with the neighborhood design principles listed below:*

- a. *Clear focal points shall be provided. Focal points include but are not limited to: parks, schools, community gathering spaces, neighborhood services (i.e. day care), scenic viewpoints, and/or natural areas that are visually and physically accessible to the public. Residential developments shall provide at least one focal point per 40 acres of gross site area. The decision-making authority may require additional focal points or require provision of a focal point for smaller sites in order to ensure that all neighborhoods have at least one focal point or to ensure cohesiveness and legibility among adjacent developments.*
- b. *A network of walkable blocks and trails, consistent with the Transportation Framework Plan and the Bicycle and Pedestrian Framework Plan, shall be provided.*
- c. *The orientation of streets, blocks, development and/or trails shall be planned so that natural areas are not “walled off”, but rather are as physically and visually accessible to the public as practicable.*
- d. *The provision of parks shall be coordinated with the Tualatin Hills Park and Recreation District.*

RESPONSE: The Scholls Valley Heights Planned Unit Development has been created in accordance with the principles described above. A focal point has been provided (being one for 36.5 acres, meeting the ratio of Neighborhood and Housing Policy 1a.) within the neighborhood in the form of active open space totaling approximately 14,330 sf located in the northwestern portion of the site, towards but separate from the proposed east-west collector street. This focal point is surrounded and supported by a network of walkable blocks, with a mid-block accessway where required, and convenient access to the SCMCP community trail located along the site southeastern boundary. The trail is located consistent with the location of the wetland resource and SW Strobel Road, and its design and location have been coordinated with THPRD staff.

- 3. *Neighborhood and Housing Policy 2: Residential developments shall provide a variety of housing types consistent with the permitted uses of applicable zone(s). The goal of this policy and implementing code standards is to ensure that, over time and multiple individual development reviews, South Cooper Mountain’s neighborhoods and livability are enhanced by variety in the type and design of housing in order to promote aesthetically pleasing residential neighborhoods as well as opportunities for people of varying incomes and life stages to live within the same neighborhood.*
 - a. *Residential developments in the South Cooper Mountain Community Plan area shall provide a variety of housing types, as identified below, for sites:*
 - i. *Up to 15-acres (gross), a minimum of one (1) housing type;*
 - ii. *Greater than 15-acres and up to 30-acres (gross), a minimum of two (2) housing types;*

- iii. *Greater than 30-acres (gross), a minimum of three (3) housing types.*

RESPONSE: As demonstrated below, the Scholls Valley Heights planned Unit Development will provide at least 3 of the designated housing types listed, in accordance with the requirement of this section.

- b. *Housing Types include:*
- i. *Standard Lot Single Family. Density range from 90 percent to 195 percent of the minimum land area per dwelling unit requirement of the underlying zoning district;*
 - ii. *Small Lot Single Family. Density range from 50 percent to 70 percent of the minimum land area per dwelling unit requirement of the underlying zoning district;*
 - iii. *Compact Detached Housing & Cluster Housing. Density range from 25 percent up to 49 percent of the minimum land area per dwelling unit requirement of the underlying zoning district;*
 - iv. *Accessory Dwelling Unit with Single Family Detached Dwelling;*
 - v. *Alley-Loaded Dwellings. A dwelling unit designed with the front façade oriented toward a street and the garage door façade oriented toward an alley.*
 - vi. *Duplex;*
 - vii. *Triplex & Four-plex;*
 - viii. *Townhouse / Townhome;*
 - ix. *Multi-family;*
 - x. *Live /work, only permitted in the NS zoning district.*

Zoning District		R1	R2	R4	R5	R7
<i>Base Zone (sq. ft / dwelling)</i>		1,000	2,000	4,000	5,000	7,000
<i>Land Area (sq ft)</i>						
<i>Standard Lot Single Family</i>						
<i>maximum</i>	195%	1,950	3,900	7,800	9,750	13,650
<i>minimum</i>	90%	900	1,800	3,600	4,500	6,300
<i>Small Lot Single Family</i>						
<i>maximum</i>	70%	700	1,400	2,800	3,500	4,900
<i>minimum</i>	50%	500	1,000	2,000	2,500	3,500
<i>Compact Detached and Cluster Housing</i>						
<i>maximum</i>	49%	499	999	1,999	2,499	3,499
<i>minimum</i>	25%	250	500	1,000	1,250	1,750

- c. *For developments requiring more than one (1) housing type a minimum of 10 percent of the total dwelling units shall be of each housing type.*

RESPONSE: For the purposes of this Section, the applicant is providing the following housing types:

Housing Type	Units	Percentage
60.35.25.1.A.3.b.i. – Standard Lot Single Family	139	58.4%
60.35.25.1.A.3.b.vii. – Triplex & Four-plex	29	12.2%
60.35.25.1.A.3.b.viii. – Townhouse/Townhome	70	29.4%
Total	238	100%

As shown above, the applicant is providing greater than a minimum of 10 percent of the total dwelling units for each of the three housing types, being standard lot single family, tri-plex and four-plex, and Townhouse/Townhome units. It is also noted that 62 of the combined 99 single-family attached units are provided as alley loaded units, providing even greater variety, however as the classifications must be consistent across each housing type and only one classification may be used for each unit, Section 60.35.25.1.A.3.b.v. Alley-Loaded Dwellings is not utilized.

- d. *For developments utilizing the Standard Lot Single Family housing type (Section 60.35.25.1.A.3.b.i.) and not utilizing the Small Lot Single Family housing type (Section 60.35.25.1.A.3.b.ii.), the lot size for Standard Lot Single Family may range from 50 percent to 195 percent of the minimum land area per dwelling unit requirement of the underlying zoning district and it shall count as one housing type.*

RESPONSE: As described above, the applicant is not utilizing the Small Lot Single Family housing type. Accordingly, as described in response to Sections 60.35.10.2.B.1. and 3., lot sizes for all lots within the development range between 50 percent and 195 percent, with the smallest relative to required lot area being Lot 12 (66%) and the largest relative to required lot area being 101 (182%). This requirement is met.

4. *Main Street Policy 2: Main Street pedestrian orientation and access.*
2. *Ensure that the Main Street area is designed as a pedestrian-oriented center that also provides for excellent accessibility by car and bicycle.*

RESPONSE: This development does not include portions of the main street area, therefore this Policy does not apply.

B. Transportation:

1. *Figure 10: Community Plan Street Framework map.*

RESPONSE: The components of the transportation system located within the boundaries of the site have been planned in accordance with the requirements of Figure 10: Community Plan Street Framework map. The development proposes the construction of the east-west collector street along the north property boundary, with the centerline alignment coordinated with property to the north, the construction of a north-south neighborhood route, SW Strobel Road, and construction of the additional north-south neighborhood route to the west.

2. *Street Policy 1: Community Plan Street Framework and Comprehensive Plan Chapter 6.*

1. *The streets planned for the Community Plan area are illustrated in Figure 10. The Beaverton Transportation System Plan and Washington County Transportation System Plans will be updated consistent with Figure 10 and will be the controlling documents for transportation planning. Should conflicts arise between the maps in Chapter 6 of the City's Comprehensive Plan and the maps in this document, those in Chapter 6 shall prevail.*

RESPONSE: The Beaverton Transportation System Plan has not yet been updated to include the SCMCP area, however the Washington County Transportation System Plan identifies the proposed collector streets shown in Figure 10. The components of the transportation system located within the boundaries of the site have been planned in accordance with the requirements of the Washington County Transportation System Plan and Figure 10 of the SCMCP.

3. *Street Policy 10: Community Plan Street Framework, refining specific alignments.*

10. *In refining specific alignments for new roads identified on the Community Plan Street Framework map through the development review or project design process, impacts to natural resources shall be minimized to the extent possible while retaining key connections.*

RESPONSE: As described above, the components of the transportation system located within the boundaries of the site have been planned in accordance with the requirements of the Washington County Transportation System Plan and Figure 10 of the SCMCP. Minor refinements in the alignment of planned streets, including the east-west collector street, have been undertaken in conjunction with neighboring property owners, and maintain connections to other planned and proposed streets.

4. *Figure 11: Community Plan Bicycle and Pedestrian Framework map.*

RESPONSE: Figure 11: Community Plan Bicycle and Pedestrian Framework map shows four elements within the boundaries of the subject site, including: Road A, the east-west collector as a road with bike lanes and sidewalks; SW Strobel Road, as a road with sidewalks; Street B, the

western neighborhood route as a road with sidewalks; and a multi-use trail located south of SW Strobel Road. Each of these facilities will be constructed in accordance with Figure 11, and in consultation with City and THPRD staff.

5. *Bicycle and Pedestrian Framework Policy 1: Bicycle and Pedestrian Crossings.*

1. ***Bicycle and Pedestrian Crossings: While the location and design of specific crossing points will be determined through further site-specific engineering evaluation, safe, protected pedestrian crossing opportunities should be provided near important pedestrian destinations, such as the future high school site, when a need is demonstrated and such crossings can be appropriately and safely designed and located, as determined by an engineering-level safety analysis.***

RESPONSE: The proposal does not include specific trail crossings; trail connections have been provided to maximize sight-distance and minimize out of direction travel. As the applicant does not propose mid-block crossings for arterial or collector streets, mid-block crossing approvals are not required.

6. *Bicycle and Pedestrian Framework Policy 2: Trails.*

2. ***Trails: Trails within the Community Plan area shall be provided as shown on Figure 11; however, the City may permit flexibility to adapt to site specific conditions and ownerships provided the conceptual network in Figure 11, or equivalent, is provided. The following principles shall provide guidance in the refinement of trail alignments within the Community Plan area:***

RESPONSE: The multi-use trail has been relocated south to adjoin the resource area located south of SW Strobel Road, in coordination with City staff and THPRD. This location provides for a more useable trail alignment without continuous driveway crossings and with the benefit of public access to the resource areas, and provides the same conceptual network as shown in Figure 11. An equivalent or greater level of utility is expected from the refined trail location, as compared to the mapped alignment.

C. *Resource Protection and Enhancement:*

1. *Figure 12: Natural Resources in the Community Plan area map.*

RESPONSE: In accordance with Figure 12: Natural Resources in the Community Plan area, the subject site is identified as containing several classes of Natural Resources. Therefore, resource protection and enhancement is relevant to this application.

Figure 12 identifies the following natural resources on the site:

- Stream
- Wetland/Probable Wetland
- Upland Wildlife Habit Class A

- Upland Wildlife Habit Class B
- Upland Wildlife Habit Class C
- Riparian Wildlife Habitat Class I
- Riparian Wildlife Habitat Class II
- Riparian Wildlife Habitat Class III

The applicant's wildlife habitat biologist, Environmental Science & Assessment, LLC (ES&A), conducted a Site Assessment to assess the presence and extent of sensitive areas within the development site and within 200 feet of the site, and adjacent vegetated corridors. This assessment was submitted to CWS as part of obtaining a CWS Sensitive Area SPL, and is included as part of this application packet. The wetland delineation prepared by ES&A for the site was also submitted to and gained concurrence from the Department of State Lands.

2. *Natural Resource Policy 1: Local Wetlands and Riparian Areas*

1. *Locally significant wetlands and protected riparian corridors within the Community Plan area shall be protected and enhanced, consistent with local, state, and federal regulations.*

RESPONSE: As described in response to Comprehensive Plan Chapter 7.1.1.b), the South Cooper Mountain Annexation Area Local Wetland Inventory (LWI) for the City of Beaverton maps palustrine forested (PFO) wetland along the southeastern boundary of the project area, extending off-site, and a very small wetland mapped in the area of the swale topography in the northeast end of the site as a "probable" palustrine emergent (PEM) wetland. The National Wetlands Inventory maps wetlands off-site to the southeast but none on-site.

As identified in the ES&A Site Assessment, three Sensitive Areas are located on-site, Wetlands A and B and Waters A. Wetlands A and B occur along the southeastern property boundary of TL 302 and extend off-site to the southeast where they are likely connected. Waters A is located in the northeastern portion of the project site north of the off-site PFO wetland. These areas are identified on the LWI as a part of South Cooper Mountain Annexation Area Wetland A (W-A).

Based on CWS requirements, the width of vegetated corridor on the site was determined to be 50-feet wide due to the adjacent slopes being less than 25% and Sensitive Areas not being isolated. The total area of vegetated corridor is 49,908-SF (± 1.15 acres) on site. Two vegetated corridor plots were taken to identify the condition of the vegetated corridor which is in marginal (11,334 SF) and degraded (38,574 SF) condition. The vegetated corridor areas are identified in Figure 12 as including Upland Wildlife Habit Classes A, B, and C.

Both Wetland A and Wetland B, and Waters A, as delineated by ES&A, will be located within proposed Open Space Tract B, along with the associated vegetated corridor areas. A pedestrian trail will be located along the east side of the project area parallel to the vegetated corridor. Two stormwater detention facilities are located on the east side of the project area (Tract A and Tract C). Each facility will have one 120 square foot stormwater outfall located within the vegetated corridor.

The total permanent vegetated corridor impact is 2,783 SF:

- 2,543 square feet of impacts are associated with the pedestrian trail and grading for the trail. The main impact is due to the trail turning south through the vegetated corridor to connect with a proposed trail that is planned when the area to the south is developed. Impacts will be mitigated on site at a 1:1 ratio, with the exception of 153 square feet, which is allowed for trails.
- 240 square feet of impacts are associated with the two stormwater outfalls. Only 140 square feet of the impacts will be mitigated on site (up to 100 SF is allowed for storm water outfalls).

The total temporary vegetated corridor impact is 3,000 SF:

- The impacts are from the installation of two stormwater pipes that will be installed for each stormwater facility that connects to the outfalls and the sewer alignment just north of the vegetated corridor line. The impacts will be mitigated in place and will be planted as part as the vegetated corridor Enhancement Plan. A portion of the temporary impacts overlaps with the mitigation area, which will be planted.

The vegetated corridor mitigation area totals 2,530 square feet and is located within an area contiguous to the vegetated corridor at the south end. The area is in degraded condition and will be planted at 100 percent of the CWS planting density for both trees and shrubs.

The remaining portion of the vegetated corridor (47,278 SF) will be enhanced to meet good condition as per CWS standards.

An additional area of Upland Wildlife Habit Classes A and C is identified by the SCMCP, located to the west of SW Strobel Road, at the southwestern corner of the site. These areas were not delineated by ES&A as containing upland habitat areas, as the habitat has been highly modified through prior tree removal and other pastoral farming activities. Additionally, this area will be cut off from the larger wetland (W-A) and associated riparian areas to the east by the future construction of SW Strobel Road to City standards. In accordance with the staff response to Statewide Planning Goal 5 – Urbanization in CPA2014-0011, CPA2014-0012, and TA2014-0002, dated December 3, 2014:

The South Cooper Mountain Community Plan is subject to the requirements of Metro's Title 13. The South Cooper Mountain Natural Resources Memo of June 2013 (Exhibit 11) included review of the Community Plan area relative to Title 13 resources and on page 6 states "Following Metro mapping methods, all areas within 300 feet of streams or wetlands were mapped as well, whether they currently contain native habitat (Class A or B), or are occupied by agricultural lands or nonnative grasslands (Class C)."

Based on the current condition of the resource, it is presumed that the area of Upland Wildlife Habit Classes A and C were designated as Upland Habitat Area based on their location within 300 feet of probable wetland PW-I in the South Cooper Mountain LWI. However, it is noted that PW-I is slated for residential development with up to 24 lots within The Ridge at South Cooper Mountain development, and will cease to exist as currently mapped as a "probable wetland". This serves to further diminish the habitat values associated with this area, such that they cannot be considered to provide conservation values, and are not delineated by ES&A as containing upland

habitat areas. It is noted, however, that the mapped area remains applicable in the calculation of required passive open space areas for the site.

3. *Natural Resource Policy 2: Development adjacent the Significant Natural Resource Areas.*
2. *Development adjacent to significant natural resource areas shall be designed to provide visual and/or physical access to the resource area and limit continuous rear lot line edges abutting a significant natural resource through one or more of the following treatments of the open space edge.*
 - a. *parallel trail along the edge of the vegetated corridor with access points from adjacent roads and community focal points;*
 - b. *local streets that run adjacent to the edge of the vegetated corridor, without development between the street and the vegetated corridor; or*
 - c. *neighborhood parks, pocket parks, schools and similar uses that connect to the resource area and provide breaks between developed areas abutting the resource.*

RESPONSE: The Planned Unit Development design includes locating a pedestrian trail along the edge of the vegetated corridor southeast of SW Strobel Road, with 2 accessways located along the trail length providing access to the trail from the main roadway through the site. Rear property lines facing the trail are broken up by these accessways, with additional breaks provided by the CWS water quality facilities located within Tracts A and C. This design provides both visual and physical access to the resource area, and limits continuous rear lot line edges abutting the resource, and meets the requirements of this Plan element.

4. *Urban Forestry Policy 2: Tree Planting.*
2. *Tree planting already required by City regulations (e.g. landscaped areas, street trees) shall be maximized as a method to increase the tree canopy in the Community Plan area.*

RESPONSE: Tree planting will occur within the site in accordance with these requirements in order to maximize tree canopy within the SCMCP area. Tree removal will be in accordance with Sections 40.90 and 60.60. Street trees will be installed in accordance with City requirements, and mitigation and enhancement planting will occur as specified in the Landscaping Plan submitted with this application. This criterion is met.

5. *Urban Forestry Policy 3: Regionally Significant Upland Habitat.*
3. *Regionally Significant Upland Habitat within the SCM Community Plan area shall be protected through application of the City's existing tree protection standards and incentives for Habitat Benefit Area preservation, as appropriate.*

RESPONSE: As described in response to Natural Resource Policy 1: Local Wetlands and Riparian Areas above, all delineated areas of upland habitat will be preserved within Open Space

Tract B. An additional area of Upland Wildlife Habit Classes A and C is identified west of SW Strobel Road at the southwestern corner of the site. These areas were not delineated as significant upland habitat by ES&A, as the habitat has largely been removed through prior tree removal and other pastoral farming activities. Additionally, this area will cut off from the resource by the future construction of SW Strobel Road to City standards. This requirement is further addressed in response to Section 60.60., below.

The area to the west of SW Strobel Road identified as Class A Upland Habitat will be preserved within Tract B, as delineated by ES&A and shown on the submitted Open Space Exhibit.

6. *Scenic Views Policy 1: Protection of View Corridors.*

1. *The city will encourage protection of view corridors for the enjoyment of adjacent neighborhoods and the broader community on lands that currently offer views of the Chehalem Ridge. Viewpoints should provide seating and space for passersby and should provide for the permanent protection of the view through measures such as easements. Techniques for view corridor preservation may include:*
 - a. *Streets that “T”, stub, or curve at a location offering a viewpoint, with a break between buildings;*
 - b. *Neighborhood or pocket parks situated to offer a viewpoint;*
 - c. *Gaps between buildings with small seating areas adjacent to the sidewalk (see Figure 13 for an illustration of this concept); and/or*
 - d. *Limitations on building heights down-slope from a viewpoint.*

RESPONSE: The proposed Planned Unit Development design includes a number of curvilinear streets, in particular north-south streets, that will allow for viewpoints to the south. The active open space areas in the north-west portion of the site will provide views to the east and west, while the predominantly north/south home orientation will also allow for views from residences as they descend from Road A. The multi-use trail located adjacent to SW Strobel Road will also provide viewpoints into the open space, while the location of water quality facilities in Tracts A and C will provide opportunities for south facing views from Road A and SW Strobel Road. This element is met.

7. *Rural Edges and Transitions Policy 1: SW Tile Flat Road Landscape Buffer.*

1. *Require that development abutting SW Tile Flat Road provide a landscaped buffer with trees and shrubs that provide a visual screen for adjacent rural uses.*

RESPONSE: The proposed Planned Unit Development does not abut SW Tile Flat Road, therefore this element is not applicable.

D. *Infrastructure Provision:*

1. *Infrastructure Policy 1: Urban development not allowed without urban services*

1. *Urban development shall not be allowed until urban services, including water and sewer, are available to the subject property.*

RESPONSE: Development on the site shall not commence until such time as all required urban services are available. The applicant anticipates Conditions of Approval to restrict development until such time as urban services can be demonstrated to be in place to serve the site.

2. *Infrastructure Policy 7: Alignment for new water and sewer.*

7. *In identifying specific alignments for new water and sewer infrastructure, impacts to natural resources shall be avoided or minimized to the extent possible.*

RESPONSE: Proposed alignments for new sewer and water within the site are located within public rights-of-way, with the exception of storm sewer, which will include two outfalls to the wetland resource. The encroachment proposed is limited to 240 square feet, with mitigation occurring pursuant to the requirements of CWS' latest version of the Design and Construction Manual. This element is met.

2. *Proposals within the South Cooper Mountain Community Plan area shall demonstrate compliance with the following applicable Comprehensive Plan policies and figures:*

- A. *Chapter Six, Transportation Element:*

1. *Figure 6.2a: Planned Bicycle and Pedestrian Network.*

RESPONSE: The City of Beaverton Comprehensive Plan, Chapter Six, Transportation Element was last updated in 2010, while the SCMCP was effective December 2014. Accordingly, Chapter Six, Transportation Element, has not been updated to incorporate the SCMCP area, including Figure 6.2a: Planned Bicycle and Pedestrian Network. However, compliance with the requirements of Chapter Six has been addressed in the response to the City of Beaverton Comprehensive Plan, earlier in this report. This criterion is met to the extent practicable.

2. *Figure 6.4a: Functional Classification.*

RESPONSE: The City of Beaverton Comprehensive Plan, Chapter Six, Transportation Element was last updated in 2010, while the SCMCP was effective December 2014. Accordingly, Chapter Six, Transportation Element, has not been updated to incorporate the SCMCP area, including Figure 6.4a: Functional Classification. However, compliance with the requirements of the Chapter Six has been addressed in the response to the City of Beaverton Comprehensive Plan, earlier in this report. This criterion is met to the extent practicable.

3. *Figure 6.6a: Future Streets Where Right-of-Way is Planned for More Than Two Lanes.*

RESPONSE: The City of Beaverton Comprehensive Plan, Chapter Six, Transportation Element was last updated in 2010, while the SCMCP was effective December 2014. Accordingly, Chapter Six, Transportation Element, has not been updated to incorporate the SCMCP area, including Figure 6.6a: Future Streets Where Right-of-Way is Planned for More Than Two Lanes. However, compliance with the requirements of Chapter Six has been addressed in the response to the City of Beaverton Comprehensive Plan, earlier in this report. This criterion is met to the extent practicable.

4. *Figure 6.20: Local Connectivity Map.*

RESPONSE: The City of Beaverton Comprehensive Plan, Chapter Six, Transportation Element was last updated in 2010, while the SCMCP was effective December 2014. Accordingly, Chapter Six, Transportation Element, has not been updated to incorporate the SCMCP area, including Figure 6.20: Local Connectivity Map. However, compliance with the requirements of Chapter Six has been addressed in the response to the City of Beaverton Comprehensive Plan, earlier in this report. This criterion is met to the extent practicable.

60.45. SOLAR ACCESS PROTECTION

60.45.10. *Solar Access for New Development.*

2. *Applicability. The solar design standard in subsection 3., below, shall apply to subdivisions and partitions in the R-10, R-7 and R-5 zones and for single family detached dwellings in any zone, except to the extent the Director finds that the applicant has shown one or more of the conditions listed in subsections 4. and 5., below, exist, and exemptions or adjustments provided for therein are warranted.*

RESPONSE: These standards are applicable to the single family detached homes except as otherwise demonstrated per subsections 4 and 5.

3. *Design Standard. At least 80 percent of the lots in a development subject to this ordinance shall comply with one or more of the options in this section.*
 - A. *Basic Requirement (see Figure 9). A lot complies with this Section if it:*
 1. *Has a north-south dimension of 90 feet or more; and*
 2. *Has a front lot line that is oriented within 30 degrees of a true east-west axis.*

RESPONSE: The applicant proposes 139 detached single-family homes within the development, spread across the R7, R5, and R4 zoning districts. The design standard calls for 80% or 112 lots to comply with the provisions of this section.

Because of the steep nature of the site, and the orientation of SW Strobel Road and the north-south collector (Street B) predicated by the SCMCP, only 28 of the lots will have a north-south orientation (20%). Additionally, lots 202 through 205 have a front lot line that is oriented within 30 degrees of a true east-west axis however, none of these lots have a north-south dimension of

90 feet. These lots front public rights of way and alleys, effectively increasing their north/south dimension to 90 feet or greater. The Basic Requirement however cannot be met.

- B. *Protected Solar Building Line Option (see Figure 10). In the alternative, a lot complies with this Section if a solar building line is used to protect solar access as follows:*
1. *A protected solar building line for the lot to the north is designated on the plat, or documents recorded with the plat; and*
 2. *The protected solar building line for the lot to the north is oriented within 30 degrees of a true east-west axis; and*
 3. *There is at least 70 feet between the protected solar building line on the lot to the north and the middle of the north-south dimension of the lot to the south, measured along a line perpendicular to the protected solar building line; and*
 4. *There is at least 45 feet between the protected solar building line and the northern edge of the buildable area of the lot, or habitable structures are situated so that at least 80 percent of their south-facing wall will not be shaded by structures or non-exempt vegetation.*

RESPONSE: This is a standard to medium density development, with two to three-story structures. Due to the need to comply with the density goals of the SCMCP while providing a connected transportation system and preserving the wetland and natural area buffers, insufficient area exists on the lots to accommodate the significant spacing requirements of the Protected Solar Building Line Option. Accordingly, this proposal does not include application of the alternate standard.

- C. *Performance Option. In the alternative, a lot complies with this Section if:*
- 1) *Habitable structures built on that lot will have their long axis oriented within 30 degrees of a true east-west axis and at least 80% of their ground floor south wall protected from shade by structures and non-exempt trees; or*
 - (2) *Habitable structures built on that lot will have at least 32% of their glazing and 500 square feet of their roof area which faces within 30 degrees of south and is protected from shade by structures and non-exempt trees.*

RESPONSE: Again, because of the height of the buildings, density requirements, resource preservation, and infrastructure needs, only a limited number of lots can satisfy the Performance Option. This is because those units are protected from shade by structures due to the intervening streets and open spaces.

4. *Exemptions from Design Standard. A development is exempt from this Section if the Director finds the applicant has shown that one or more of the following conditions apply to the site. A development is partially exempt from this Section to the extent the Director finds the applicant has shown that one or more of the*

following conditions apply to a corresponding portion of the site. If a partial exemption is granted for a given development, the remainder of the development shall comply with this Section.

- A. Slopes. The site or a portion of the site for which the exemption is sought, is sloped 20 percent or more in a direction greater than 45 degrees east or west of true south, based on a topographic survey by a licensed professional land surveyor.*
- B. Off-site Shade. The site, or a portion of the site for which the exemption is sought, is within the shadow pattern of off-site features, such as but not limited to structures, topography, or non-exempt vegetation, which will remain after development occurs on the site from which the shade is originating.*
 - 1. Shade from an existing or approved off-site dwelling in a single family residential zone and from topographic features is assumed to remain after development of the site.*
 - 2. Shade from an off-site structure in a zone other than a single family residential zone is assumed to be the shadow pattern of the existing or approved development thereon or the shadow pattern that would result from the largest structure allowed at the closest setback on adjoining land, whether or not that structure now exists.*
 - 3. Shade from off-site vegetation is assumed to remain after development of the site if: the trees that cause it are situated in a required setback; or they are part of a developed area, public park, or legally reserved open space; or they are in or separated from the developable remainder of a parcel by an undevelopable area or feature; or they are part of landscaping required pursuant to local law.*
 - 4. Shade from other off-site sources is assumed to be shade that exists or that will be cast by development for which applicable local permits have been approved on the date a complete application for the development is filed.*
- C. On-site shade. The site, or a portion of the site for which the exemption is requested, is:*
 - 1. Within the shadow pattern of on-site features such as, but not limited to structures and topography which will remain after the development occurs; or*
 - 2. Contains non-exempt trees at least 30 feet tall and more than 6 inches in diameter measured 4 feet above the ground which have a crown cover over at least 80% of the site or relevant portion. The applicant can show such crown cover exists using a scaled survey or an aerial photograph.*

If granted, the exemption shall be approved subject to the condition that the applicant preserves at least 50% of the trees that cause the shade that warrants

the exemption. The applicant shall file a note on the plat or other documents in the office of the County Recorder binding the applicant to comply with this requirement. The City of Beaverton shall be made a party of any covenant or restriction created to enforce any provision of this ordinance. The covenant or restriction shall not be amended without written City approval.

RESPONSE: While the site is steeply sloped, slopes are generally 20% or below in the area requiring an exemption. Shade from off-site structures, vegetation, and other sources is not the prevailing reason for non-compliance with the standard. Therefore, this site does not qualify for exemptions under these provisions.

5. *Adjustments to Design Standard.* *The Director shall reduce the percentage of lots that must comply with this Section to the minimum extent necessary if it finds the applicant has shown one or more of the following site characteristics apply.*
 - A. *Density and cost. If the design standard in this Section is applied, either the resulting density is less than that proposed, or on-site site development costs (e.g. grading, water, storm drainage and sanitary systems, and roads) and solar related off-site site development costs are at least 5% more per lot than if the standard is not applied. The following conditions, among others, could constrain the design of a development in such a way that compliance with this Section would reduce density or increase per lot costs in this manner. The applicant shall show which if any of these or other similar site characteristics apply in an application for a development.*
 1. *The portion of the site for which the adjustment is sought has a natural grade that is sloped 10 percent or more and is oriented greater than 45 degrees east or west of true south based on a topographic survey of the site by a professional land surveyor.*
 2. *There is a significant natural feature on the site, identified as such in the comprehensive plan or development ordinance, that prevents given streets or lots from being oriented for solar access, and it will exist after the site is developed.*
 3. *Existing road patterns must be continued through the site or must terminate on-site to comply with applicable road standards or public road plans in a way that prevents given streets or lots in the development from being oriented for solar access.*
 4. *An existing public easement or right-of-way prevents given streets or lots in the development from being oriented for solar access.*
[ORD 4071; October 1999]
 - B. *Development amenities. If the design standard in this Section applies to a given lot or lots, significant development amenities that would otherwise benefit the lot(s) will be lost or impaired. Evidence that a significant diminution in the market value of the lot(s) would result from having the lot(s) comply with this Section is relevant to whether a significant development amenity is lost or impaired.*

- C. *Existing shade. Non-exempt trees at least 30 feet tall and more than 6 inches in diameter measured 4 feet above the ground have a crown cover over at least 80% of the lot and at least 50% of the crown cover will remain after development of the lot. The applicant can show such crown cover exists using a scaled survey of non-exempt trees on the site or using an aerial photograph.*
1. *Shade from non-exempt trees is assumed to remain if: the trees are situated in a required setback; or they are part of an existing or proposed park, open space, or recreational amenity; or they are separated from the developable remainder of their parcel by an undevelopable area or feature; or they are part of landscaping required pursuant to local law; and they do not need to be removed for a driveway or other development.*
 2. *Also, to the extent the shade is caused by on-site trees on land owned by the applicant, it is assumed to remain if the applicant files in the office of the County Recorder a covenant binding the applicant to retain the trees causing the shade on the affected lots.*

RESPONSE: The applicant is requesting an adjustment to these design standards in accordance with Sections 60.45.10.5.A. 1., 2., and 3, to reduce required compliance from 80% to 20%. As described previously, the site is significantly sloped, with approximately 43% of the proposed single-family dwellings located in an area where there is a natural grade that is sloped 10 percent or more and is oriented greater than 45 degrees east or west of true south (See Sheet 3.0 of 55), in accordance with Section 60.45.10.5.A. 1.. In addition, locally significant wetland W-A is located along the south-eastern property line. This significant natural feature causes an alignment of SW Strobel Road which runs from southwest to northeast, and the intersecting neighborhood route (Street B) running south east to northwest. This natural feature, when combined with site topography and SCMCP street alignments, dictates block orientation which does not support compliance with the design standard. Compliance with the standard would likely require significant Engineering Design Manual Exception requests, and significant recontouring of the hillside and site retaining to create a lotting pattern meeting the design standard, with costs expected to greatly exceed 5% more per lot than if the standard is not applied.

6. *Protection from Future Shade. Structures and non-exempt vegetation must comply with the Solar Balance Point requirements for existing lots (Section 60.45.15) if located on a lot that is subject to the solar design standard in this Section, or if located on a lot south of and adjoining a lot that complies with this Section. The applicant shall file a note on the plat or other documents in the office of the County Recorder binding the applicant and subsequent purchasers to comply with the future shade protection.*

RESPONSE: To the applicant's knowledge, there are no Solar Balance points recorded relating to the abutting lots surrounding this development. Therefore, this provision is not applicable.

7. *Process for Approval. Requirements for meeting the provisions of solar access protection shall be processed simultaneously with other application requirements as provided by this ordinance.*

RESPONSE: Findings addressing the requirements of this section are part of the application, and will be processed simultaneously with other application requirements.

60.45.15. Solar Balance Point.

2. *Applicability. This ordinance applies to an application for a building permit for all structures in R-10, R-7 and R-5 zones and all single family detached structures and accessory structures in any zone, except to the extent the applicant has shown that one or more of the conditions listed in subsection 5. or 6., below, exists, and exemptions or adjustments provided for there are warranted. In addition, non-exempt vegetation planted on lots subject to the provisions of Section 60.45.10.6. for new development shall comply with the shade point height standards as provided in subsections 4. and 5., below, of this ordinance.*
6. *Adjustments to the Maximum Shade Point Height Standard. The Director shall increase the maximum permitted height of the shade point determined using subsection 4., above, to the extent it finds the applicant has shown one or more of the following conditions exist, based on plans or plats, corner elevations or other topographical data, shadow patterns, sun charts or photographs, or other substantial evidence submitted by the applicant.*
10. *Application and review process. An application for a building permit shall include the information necessary to meet the provisions of this ordinance. The Building Official shall refer the plan to the Director for approval prior to issuing a building permit, or the Director may delegate this responsibility for review and approval to the Building Official. This review shall consist of determining compliance with those sections reference in subsection 9., above. (ORD 3838)*

RESPONSE: These provisions only apply to lots that are not exempt, and are applicable at the time of Building Permit review.

Therefore, based on the above findings, the applicant has demonstrated compliance with the solar access provisions to the degree practicable, and has requested exemption from full compliance.

60.55 TRANSPORTATION FACILITIES

60.55.10 General Provisions.

1. *All transportation facilities shall be designed and improved in accordance with the standards of this code and the Engineering Design Manual and Standard Drawings. In addition, when development abuts or impacts a transportation*

facility under the jurisdiction of one or more other governmental agencies, the City shall condition the development to obtain permits required by the other agencies.

RESPONSE: All of the transportation facilities have been designed in accordance with the standards of this code and the Engineering Design Manual and Standard Drawings except where modifications to street and sidewalk standards and block lengths have been requested. SW Scholls Ferry Road is a Washington County facility and therefore permits will be obtained from them for improvements, if any, in that right-of-way. This criterion is met.

2. *In order to protect the public from potentially adverse impacts of the proposal, to fulfill an identified need for public services related to the development, or both, development shall provide traffic capacity, traffic safety, and transportation improvements in rough proportion to the identified impacts of the development.*

RESPONSE: As described in the transportation analysis and the submitted plans, the proposed development is protecting the public from adverse impacts of the proposal by providing traffic capacity, traffic safety, and transportation improvements in rough proportion to the identified impacts of the development, and consistent with the SCMCP, including on-site transportation infrastructure improvements and payment of the Washington County TDT. This criterion is met.

3. *For applications that meet the threshold criteria of section 60.55.15 Traffic Management Plan or of section 60.55.20 Traffic Impact Analysis, these analyses or limited elements thereof may be required.*

RESPONSE: The application includes a Traffic Impact Analysis, performed by Kittleson and Associates, as required by the City Transportation Department. This criterion is met.

4. *The decision-making authority may impose development conditions of approval per section 10.65.1. of this code. Conditions of approval may be based on the Traffic Management Plan and Traffic Impact Analysis. Additional street, bicycle, and pedestrian connections may also be required per 60.55.25 Street and Bicycle and Pedestrian Connection Requirements.*

RESPONSE: It is understood that the City may impose conditions of approval. This criterion is met.

5. *Dedication of right-of-way shall be determined by the decision-making authority.*

RESPONSE: Dedications of right-of-way will be completed based on the determination of the decision-making authority. The plans demonstrate adequate dedication for the proposed multi-modal transportation uses. This criterion is met.

6. *Traffic calming may be approved or required by the decision-making authority in a design of the proposed and/or existing streets within the Area of Influence or*

any additional locations identified by the City Engineer. Traffic calming measures shall be designed to City standards.

RESPONSE: The applicant has not identified a need, nor has the City required traffic calming measures at this time. This criterion is met.

7. *Intersection performance shall be determined using the Highway Capacity Manual 2000 published by the Transportation Research Board. The City Engineer may approve a different intersection analysis method prior to use when the different method can be justified. Terms used in this subsection are defined in the Highway Capacity Manual 2000.*

RESPONSE: Intersection performance in the transportation study was analyzed in accordance with accepted standards and practice as detailed below. This criterion is met.

At a minimum, the impacts of development on a signalized intersection shall be mitigated to peak hour average control delay no greater than 65 seconds per vehicle using a signal cycle length not to exceed 120 seconds. The volume-to-capacity ratio for each lane group for each movement shall be identified and considered in the determination of intersection performance. The peak hour volume-to-capacity ratio for each lane group shall be no greater than 0.98. Signal progression shall also be considered.

RESPONSE: As shown in the Traffic Analysis, the impacts of the development can be mitigated to be accommodated within the improvements proposed. This criterion is met.

At a minimum, the impacts of development on a two-way or an all-way stop-controlled intersection shall be mitigated to a peak hour average control delay of no greater than 45 seconds per vehicle.

RESPONSE: As shown in the Traffic Analysis, the impacts of the development can be mitigated to be accommodated within the improvements proposed. This criterion is met.

If the existing control delay or volume-to-capacity ratio of an intersection is greater than the standards of this subsection, the impacts of development shall be mitigated to maintain or reduce the respective control delay or volume-to-capacity ratio.

RESPONSE: As shown in the Traffic Analysis, the impacts of the development can be mitigated to be accommodated within the improvements proposed. This criterion is met.

- 60.55.15. ***Traffic Management Plan.*** [ORD 4302; May 2004] *Where development will add 20 or more trips in any hour on a residential street, a Traffic Management Plan acceptable to the City Engineer shall be submitted in order to complete the application. A residential street is any portion of a street classified as a Local*

Street or Neighborhood Route and having abutting property zoned R2, R4, R5, R7, or R10.

RESPONSE: The applicant has submitted a Traffic Impact Analysis which is more intensive than the Traffic Management Plan. These criteria do not apply.

60.55.20 ***Traffic Impact Analysis.*** *For each development proposal that exceeds the Analysis Threshold of 60.55.20.2, the application for land use or design review approval shall include a Traffic Impact Analysis as required by this code. The Traffic Impact Analysis shall be based on the type and intensity of the proposed land use change or development and its estimated level of impact to the existing and future local and regional transportation systems.*

1. **Engineer Certification.** *The Traffic Impact Analysis shall be prepared and certified by a traffic engineer or civil engineer licensed in the State of Oregon.*

RESPONSE: The Traffic Impact Analysis (TIA) was prepared and certified by a traffic engineer licensed in the State of Oregon. This criterion is met.

2. **Analysis Threshold**
 - A. *A Traffic Impact Analysis is required when the proposed land use change or development will generate 200 vehicles or more per day (vpd) in average weekday trips as determined by the City Engineer.*
 - B. *A Traffic Impact Analysis or some elements of a Traffic Impact Analysis may be required when the volume threshold under subsection A. of this section is not met but the City Engineer finds that the traffic impacts attributable to the development have the potential to significantly impact the safe and efficient operation of the existing public transportation system.*

RESPONSE: The project exceeds the minimum analysis thresholds for a TIA and is therefore provided for review.

3. **Study Area.** *The Traffic Impact Analysis shall evaluate the Area of Influence of the proposed development and all segments of the surrounding transportation system where users are likely to experience a change in the quality of traffic flow. The City Engineer may identify additional locations for study if existing traffic operation, safety, or performance is marginal or substandard. Prior to report preparation, the applicant shall submit the proposed scope and analysis assumptions of the Traffic Impact Analysis. The City Engineer shall determine whether the scope and analysis assumptions are adequate.*

RESPONSE: The study area for the TIA was approved by the City Engineer as required. This criterion is met.

4. *Contents of the Traffic Impact Analysis Report.* *The Traffic Impact Analysis report shall contain the following information organized in a logical format:*
 - A. *Executive Summary*
 - B. *Description of Proposed Development*
 - C. *Existing Conditions*
 - D. *Traffic Forecasts*
 - E. *Traffic Impacts*
 - F. *Mitigation Identification*
 - G. *Recommendations*

RESPONSE: The TIA includes all of the items described in A-G above. This criterion is met.

60.55.25 ***Street and Bicycle and Pedestrian Connection Requirements.***

1. *All streets shall provide for safe and efficient circulation and access for motor vehicles, bicycles, pedestrians, and transit. Bicycle and pedestrian connections shall provide for safe and efficient circulation and access for bicycles and pedestrians.*

RESPONSE: All of the proposed streets comply with Beaverton standards, except where modifications to those City standards are approved by the review body and/or the City Engineer as applicable. All of the streets provide safe and efficient circulation and access for motor vehicles, bicycles, pedestrians and transit.

Bicycle circulation and connections are provided through the use of public streets, accessways, alleyways, and the multi-use community trail. This mode and its associated circulation throughout the development site is safe and very efficient. Pedestrian circulation has been separated from vehicular circulation where possible through accessways, sidewalks, and the multi-use community trail located adjacent to the wetland resource, as opposed to being provided as an on-street trail. The pedestrian pathways interconnect all areas of the project and thus a very safe and efficient system is proposed. This criterion is met.

2. *The Comprehensive Plan Transportation Element Figures 6.1 through 6.23 and Tables 6.1 through 6.6 shall be used to identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel.*

RESPONSE: The City of Beaverton Comprehensive Plan, Chapter Six, Transportation Element was last updated in 2010, while the SCMCP was effective December 2014. Accordingly, Chapter Six, Transportation Element, has not been updated to incorporate the SCMCP area, including Figures 6.1 through 6.23 and Tables 6.1 through 6.6. However, compliance with the requirements of Chapter Six has been addressed in the response to the City of Beaverton Comprehensive Plan, earlier in this report. This criterion is met to the extent practicable.

3. *Where a future street or bicycle and pedestrian connection location is not identified in the Comprehensive Plan Transportation Element, where abutting properties are undeveloped or can be expected to be redeveloped in the near term, and where a street or bicycle and pedestrian connection is necessary to enable reasonably direct access between and among neighboring properties, the applicant shall submit as part of a complete application, a future connections plan showing the potential arrangement of streets and bicycle and pedestrian connections that shall provide for the continuation or appropriate projection of these connections into surrounding areas.*

RESPONSE: The applicant has submitted a circulation plan demonstrating circulation opportunities that exist now and in the future for transportation purposes. This criterion is met.

4. *Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel under development and shall be designed to connect the proposed development's streets, bicycle connections, and pedestrian connections to existing and future streets, bicycle connections, and pedestrian connections. A closed-end street, bicycle connection, or pedestrian connection may be approved with a temporary design.*

RESPONSE: All modes of transportation including vehicles, bicycle and pedestrians have been provided in such a way where connections extend to the boundary of the parcel being developed thereby connecting to existing streets, with the exception of Tract D, where grades preclude the logical connection of streets. The terminus of this private street will be connected to property to the west via a pedestrian accessway, providing through pedestrian and bicycle access. This criterion is met.

5. *Whenever existing streets and bicycle and pedestrian connections adjacent to or within a parcel of land are of inadequate width, additional right-of-way may be required by the decision-making authority.*

RESPONSE: All facilities for combined or different transportation modes have been designed to have adequate width for the type of transportation considered. This criterion is met.

6. *Where possible, bicycle and pedestrian connections shall converge with streets at traffic-controlled intersections for safe crossing.*

RESPONSE: Bicycle and pedestrian connections have been provided at location designed to minimize out of direction travel within the community to the extent practicable, and to facilitate access to surrounding destinations within the community. Trail connections will meet off-site trails, facilitating the completion of the bicycle and pedestrian network within the plan area. This criterion is met.

7. *Bicycle and pedestrian connections shall connect the on-site circulation system to existing or proposed streets, to adjacent bicycle and pedestrian connections, and to driveways open to the public that abut the property. Connections may*

approach parking lots on adjoining properties if the adjoining property used for such connection is open to public pedestrian and bicycle use, is paved, and is unobstructed.

RESPONSE: Bicycle and pedestrian connections as proposed connect the on-site circulation system to proposed streets. There is no other adjacent bicycle and pedestrian connections or driveways open to the public available for connection at this time. There are no adjoining parking lots for connections to occur. This criterion is met.

8. *To preserve the ability to provide transportation capacity, safety, and improvements, a special setback line may be established by the City for existing and future streets, street widths, and bicycle and pedestrian connections for which an alignment, improvement, or standard has been defined by the City. The special setback area shall be recorded on the plat.*

RESPONSE: The City has not requested any special setbacks at this time. This criterion does not apply.

9. *Accessways are one or more connections that provide bicycle and pedestrian passage between streets or a street and a destination. Accessways shall be provided as required by this code and where full street connections are not possible due to the conditions described in Section 60.55.25.14.*

An accessway will not be required where the impacts from development, redevelopment, or both are low and do not provide reasonable justification for the estimated costs of such accessway.

RESPONSE: The applicant has proposed 4 pedestrian accessways within the site. One is located through the large central block formed by SW Strobel Road, Street B, Street C, and Street F, while 2 connect SW Strobel Road to the multi-use community trail along the south-east property line. The final access way is provided connecting the terminus of Tract D with adjoining Tax Lot 2S2 01 100 to the west. Accessways are designed to meet the requirements of this code,

- A. *Accessways shall be provided as follows:*

1. *In any block that is longer than 600 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, an accessway shall be required through and near the middle of the block.*

RESPONSE: Within the proposed Planned Unit Development, there are 3 blocks which measure in excess of 600 feet, although one of these blocks is split with a dead-end private street located within Tract D. These include; the east side of SW Strobel Road, between Road A and the southern property line of Lot 32 (approximately 1,400 feet); the west side of SW Strobel

Road, between Street B and Street F (approximately 820 feet); and the west side of SW Strobel Road, between the southern property corner of Lot 39 and Street B (approximately 790 feet).

Between Road A and the southern property line of Lot 32, two accessways are provided on the east side of SW Strobel Road, connecting to the multi-use community trail within the site. The first is located approximately 410 feet south of the intersection of Road A and SW Strobel Road, while the second is located approximately 615 feet further to the south (being approximately 360 feet north of the southern property line of Lot 32) due to the location of a water quality facility to the north. This results in an average block length of 466 feet between accessways.

Between Street B and Street F, one accessway is provided on the west side of SW Strobel Road. The accessway is located approximately 400 feet south of the intersection of Street F and SW Strobel Road, and approximately 430 feet north of the intersection of Street B and SW Strobel Road. This results in an average block length of 415 feet between accessway, which is located at the approximate mid-point of the block

The final block length along the west side of SW Strobel Road, between the southern property corner of Lot 39 and Street B, may be considered to exceed the 600-foot requirement, despite being bisected by a dead-end private street. However, a pedestrian accessway is provided at the terminus of the private street (Tract D) connecting to adjoining Tax Lot 2S2 01 100 to the west. Accordingly, the block meets the above standard.

As described above, the required accessways are provided as described and in appropriate locations to complete an efficient circulation system. This criterion is met.

2. *If any of the conditions described in Section 60.55.25.14. result in block lengths longer than 1200 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, then two or more accessways may be required through the block.*

RESPONSE: As described above, the block length between Road A and the southern property line of Lot 32 is approximately 1,400 feet along the east block face. However, two accessways are provided as required for blocks exceeding 1,200 feet. The first is located approximately 410 feet south of the intersection of Road A and SW Strobel Road, while the second is located approximately 615 feet further to the south (being approximately 360 feet north of the southern property line of Lot 32) due to the location of a water quality facility to the north. This results in an average block length of 466 feet between accessways.

3. *Where a street connection is not feasible due to conditions described in Section 60.55.25.14., one or more new accessways to any or all of the following shall be provided as a component of the development if the accessway is reasonably direct: an existing transit stop, a planned transit route as identified by TriMet and the City, a school, a shopping center, or a neighborhood park.*

RESPONSE: Accessways are provided as direct street connections where required above. There are no nearby shopping centers or neighborhood parks requiring additional accessways. This criterion is met.

4. *The City may require an accessway to connect from one cul-de-sac to an adjacent cul-de-sac or street.*

RESPONSE: While a dead-end street with a turn-around, as opposed to a cul-de-sac, Tract D is provided with an accessway connecting to adjoining Tax Lot 2S2 01 100 to the west. This criterion is met.

5. *In a proposed development or where redevelopment potential exists and a street connection is not proposed, one or more accessways may be required to connect a cul-de-sac to public streets, to other accessways, or to the project boundary to allow for future connections.*

RESPONSE: The site is proposed to be fully developed. This criterion does not apply.

6. *Within the South Cooper Mountain Community Plan area, the City may require an accessway to connect from multiuse paths or trails to streets, multi-use paths, or trails.*

RESPONSE: As described above, between Road A and the southern property line of Lot 32, two accessways are provided on the east side of SW Strobel Road, connecting to the multi-use community trail within the site. The first is located approximately 410 feet south of the intersection of Road A and SW Strobel Road, while the second is located approximately 615 feet further to the south (being approximately 360 feet north of the southern property line of Lot 32) due to the location of a water quality facility to the north. This criterion is met.

B. Accessway Design Standards.

1. *Accessways shall be as short as possible and wherever practical, straight enough to allow one end of the path to be visible from the other.*

RESPONSE: All of the accessways within the development site are straight, with a maximum length of 195 feet between access points. This criterion is met.

2. *Accessways shall be located to provide a reasonably direct connection between likely pedestrian and bicycle destinations.*

The likely pedestrian and bicycle destinations for this site include Road A, the active open space area within Tract F, and the multi-use community trail within Tract B. Where required, the accessways proposed serve to provide convenient access to these areas in combination with sidewalk and block lengths meeting the requirements of this Code. This criterion is met.

10. *Pedestrian Circulation.*

- A. *Walkways are required between parts of a development where the public is invited or allowed to walk.*

RESPONSE: **RESPONSE:** The development includes numerous sidewalks, 4 accessways, and a multi-use community trail. With the exception of walkways between individual dwelling entrances and the adjoining sidewalks, no other walkways are proposed. These walkways will be shown on site plans for individual lots at building permit issuance. No additional walkways are required, as no parking areas or other hard surfaced areas are provided. This criterion is met.

- B. *A walkway into the development shall be provided for every 300 feet of street frontage. A walkway shall also be provided to any accessway abutting the development.*

RESPONSE: Access into the development has been provided in the form of continuous sidewalks along Road A, SW Strobel Road, Streets C, D, and E, and Tract D. The multi-use community trail will be constructed as proposed, connecting to adjoining undeveloped property to the south and east. This criterion is met.

- C. *Walkways shall connect building entrances to one another and from building entrances to adjacent public streets and existing or planned transit stops. Walkways shall connect the development to walkways, sidewalks, bicycle facilities, alleyways and other bicycle or pedestrian connections on adjacent properties used or planned for commercial, multifamily, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development.*

RESPONSE: The project proposes an unbroken pedestrian system except for at street crossings. All building entrances are ultimately connected to one another via sidewalks, and walkways are provided between building entrances to adjacent public streets. In addition, the multi-use community trail will be constructed as proposed, connecting to adjoining undeveloped property to the south and east. This criterion is met.

- E. *Walkways shall be paved and shall maintain at least four feet of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the walkway. Stairs or ramps shall be provided where necessary to provide a reasonably direct route. The slope of walkways without stairs shall conform to City standards.*

RESPONSE: The proposed walkways are all to be paved and have a minimum 4 feet of unobstructed width to dwelling entrances. This criterion is met.

- F. *The Americans with Disabilities Act (ADA) contains different and stricter standards for some walkways. The ADA applies to the walkway that is the principal building entrance and walkways that connect transit stops and parking areas to building entrances. Where the ADA applies to a walkway, the stricter standards of ADA shall apply.*

RESPONSE: Where applicable, the stricter standards of the ADA have been implemented into the design. This criterion is met.

- G. *On-site walkways shall be lighted to 0.5 foot-candle level at initial luminance. Lighting shall have cut-off fixtures so that illumination does not exceed 0.5 foot-candle more than five (5) feet beyond the property line.*

RESPONSE: The only walkways existing on site, outside of sidewalks, accessways, and the multi-use trail, are those located between the public sidewalk and individual dwelling entrances. It is not anticipated that permanent lighting will be provided for these areas.

11. *Pedestrian Connections at Major Transit Stops. Commercial and institution buildings at or near major transit stops shall provide for pedestrian access to transit through the following measures:*

- A. *For development within 200 feet of a Major Transit Stop:*
1. *Either locate buildings within 20 feet of the property line closest to the transit stop, a transit route or an intersecting street, or provide a pedestrian plaza at the transit stop or a street intersection;*
 2. *Provide a transit passenger landing pad accessible to persons with disabilities if required by TriMet and the City;*
 3. *Provide a reasonably direct pedestrian connection between the transit stop and building entrances on the site;*
 4. *Where substantial evidence of projected transit ridership or other transit impacts is presented to conclude both that a nexus exists between the proposed development and public transit and that the degree of impact provides reasonable justification, the City may require the developer to grant a public easement or dedicate a portion of the parcel for transit passenger bench(es), shelter, or both, and, if appropriate, the construction of a transit passenger bench, shelter, or both; and,*
 5. *Provide lighting at the transit stop to City standards.*

RESPONSE: There are no identified Major Transit Stops within 200 feet of the Planned Unit Development site. This standard is not applicable.

- B. *Except as otherwise provided in subsection A. of this section, for development within 300 feet of a Major Transit Stop, provide walkways*

connecting building entrances and streets adjoining the site, and pedestrian connections to adjoining properties, except where such a connection is impracticable pursuant to subsection 14. of this section.

RESPONSE: There are no identified Major Transit Stops within 200 feet of the Planned Unit Development site. This standard is not applicable.

12. *Assessment, review, and mitigation measures (including best management practices adopted by local agencies) shall be completed for bicycle and pedestrian connections located within the following areas: wetlands, streams, areas noted as Significant Natural Resources Overlay Zones, Significant Wetlands and Wetlands of Special Protection, and Significant Riparian Corridors within Volume III of the Comprehensive Plan Statewide Planning Goal 5 Resource Inventory Documents and Significant Natural Resources Map, and areas identified in regional and/or intergovernmental resource protection programs.*

“Assessment” for the purposes of this section means to assess the site specific development compatibility issues. Site-specific compatibility issues include but are not limited to lighting, construction methods, design elements, rare plants, and human/pet impacts on the resource. “Review” for the purposes of this section includes but is not limited to obtaining appropriate permits from appropriate resource agencies. Mitigation measures, including appropriate use restrictions, required by local, state, and federal agencies shall be completed as part of the construction project. If the project will irreparably destroy the resource, then the resource will take precedence over the proposed bicycle and pedestrian connection.”

RESPONSE: As identified in the ES&A Site Assessment, three Sensitive Areas are located on-site: Wetlands A and B; and Waters A. Wetlands A and B occur along the southeastern property boundary of TL 302 and extend off-site to the southeast where they are likely connected. Waters A is located in the northeastern portion of the project site north of the off-site PFO wetland. These areas are identified on the LWI as a part of South Cooper Mountain Annexation Area Wetland A (W-A).

Based on CWS requirements, the width of vegetated corridor on the site was determined to be 50-feet wide due to the adjacent slopes being less than 25% and Sensitive Areas not being isolated. The total area of vegetated corridor is 49,908-SF (± 1.15 acres) on site.

Both Wetland A and Wetland B, and Waters A, as delineated by ES&A, will be located within proposed Open Space Tract B, along with the associated vegetated corridor areas. A multi-use trail will be located along the east side of the project area parallel to the vegetated corridor, with a small encroachment into the vegetated corridor area. Two Thousand five hundred and forty-three square feet of impacts are associated with the trail and grading for the trail. The main impact is due to the trail turning south through the vegetated corridor to connect with a proposed trail that is planned when the area to the south is developed. Impacts will be mitigated on site at a

1:1 ratio, with the exception of 153 square feet, which is allowed for trails. Further details on mitigation and enhancement measures are located on Landscaping Plans submitted with the application, and within the Site Assessment prepared by ES&A.

Minimal disturbance to the resource area is anticipated. All applicable local, state, and federal permits will be obtained prior to commencing work in the vicinity of the resource.

13. *New construction of bicycle and pedestrian connections along residential rear lot lines is discouraged unless no comparable substitute alignment is possible in the effort to connect common trip origins and destinations or existing segment links.*

RESPONSE: The proposed multi-use community trail, as designated in the SCMCP, is being located through the site adjacent to the vegetated corridor, and along the rear property lines of Lots 9-22 and Tract C, a water quality facility. This location is consistent with the trail alignment options provided in Natural Resource Policy 2: Development adjacent the Significant Natural Resource Areas of the SCMCP, and is dictated by the proximity of the designated alignment on SW Strobel Road and the natural resource. This criterion is met.

14. *Street and Bicycle and Pedestrian Connection Hindrances. Street, bicycle, and/or pedestrian connections are not required where one or more of the following conditions exist:*
- A. *Physical or topographic conditions make a general street, bicycle, or pedestrian connection impracticable. Such conditions include but are not limited to the alignments of existing connecting streets, freeways, railroads, slopes in excess of City standards for maximum slopes, wetlands or other bodies of water where a connection could not reasonably be provided;*
 - B. *Existing buildings or other development on adjacent lands physically preclude a connection now and in the future, considering the potential for redevelopment; or,*
 - C. *Where streets, bicycle, or pedestrian connections would violate provisions of leases, easements, covenants, or restrictions written and recorded as of May 1, 1995, which preclude a required street, bicycle, or pedestrian connection.*

RESPONSE: No hindrances have been identified at street, bicycle or pedestrian connection locations. These criteria do not apply.

60.55.30 ***Minimum Street Widths.** Minimum street widths are depicted in the Engineering Design Manual.*

1. *Any project-specific modifications of the standards contained in the Engineering Design Manual regarding the widths of features relating to the movement of vehicles, including but not limited to rights of way, travel lanes, parking lanes, bike lanes, driveway aprons, curb radii, or other such features shall be processed*

in accordance with the provisions contained in the Section 145 Design Modifications of the Engineering Design Manual.

RESPONSE: This proposal is requesting project specific modifications of the standards contained in the Engineering Design Manual for block lengths and the provision of a dead-end private street (Tract D), no adjustment to right-of-way widths and pavement widths are proposed or requested. Those requested Engineering Design Manual Exception applications were submitted to the City to be processed in accordance with the provision contained in the section 145 Design Modifications of the Engineering Design Manual. This criterion is met.

2. *Any project-specific modifications of the standards of the Engineering Design Manual relating to the location and dimensions of required street landscaping and pedestrian features including, but not limited to, sidewalks, planter strips, street trees, street tree wells, street tree easements, or street furniture are subject to the procedures contained in Chapter 40 (Applications). The required application will depend on the scope of the proposed project and the type of application filed with the City.*

RESPONSE: The applicant has proposed a modification to the street standards related to sidewalk locations and planter strip widths on the private street located within Tract D. The required Sidewalk Design Modification application has been submitted and Chapter 40 has been addressed. This criterion is met.

60.55.35 Access Standards.

1. *The development plan shall include street plans that demonstrate how safe access to and from the proposed development and the street system will be provided. The applicant shall also show how public and private access to, from, and within the proposed development will be preserved.*

RESPONSE: The development plans include street plans that demonstrate clearly how safe access to and from the proposed development and the street system will be provided through the improvement of SW Strobel Road, the eventual completion of the east-west collector (Road A) between SW Tile Flat Road and SW 175th Avenue, and the development of an internal public street network. This criterion is met.

2. *No more than 25 dwelling units may have access onto a closed-end street system unless the decision-making authority finds that identified physical constraints preclude compliance with the standard and the proposed development is still found to be in compliance with the Facilities Review criteria of Section 40.03.*

RESPONSE: The only permanently closed-end street system provided is within Tract D, which is proposed to serve 5 Lots. This criterion is met.

3. Intersection Standards.

- A. *Visibility at Intersections. All work adjacent to public streets and accessways shall comply with the standards of the Engineering Design Manual except in Regional and Town Centers.*

RESPONSE: All relevant work adjacent to public streets and accessways has been designed to meet the requirements of the meet the standards of the Engineering Design Manual and Standard Drawings, as shown in site plans submitted with the application. This criterion is met.

1. *The sight clearance area requirements for Town Centers and Regional Centers shall be determined on a case-by-case basis by the decision-making authority. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists, and motorists), design speeds, the intersection sight distance standards of the Engineering Design Manual and Standard Drawings, and other applicable criteria. [ORD 4111; June 2000]*

RESPONSE: This project is not within a Town Center or Regional Center. This criterion does not apply.

2. *The requirements specified in 60.55.35.3.A. may be lessened or waived by the decision-making authority if the project will not result in an unsafe traffic situation. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists and motorists), design speeds, the intersection sight distance standards of the Engineering Design Manual, and other applicable criteria.*

RESPONSE: While this proposal is requesting project specific modifications of the standards contained in the Engineering Design Manual for block lengths and the provision of a dead-end private street (Tract D), no adjustment impacting visibility at intersections are proposed or requested. Those requested Engineering Design Manual Exception applications were submitted to the City to be processed in accordance with the provision contained in the section 145 Design Modifications of the Engineering Design Manual. This criterion is met.

- B. *Intersection angles and alignment and intersection spacing along streets shall meet the standards of the Engineering Design Manual and Standard Drawings.*

1. *Local street connections at intervals of no more than 330 feet should apply in areas planned for the highest density multiple use development.*

RESPONSE: This proposal is requesting project specific modifications of the standards contained in the Engineering Design Manual for block lengths and the provision of a dead-end private street (Tract D). Those requested Engineering Design Manual Exception applications

were submitted to the City to be processed in accordance with the provision contained in the section 145 Design Modifications of the Engineering Design Manual. This criterion is met.

2. *When a highway interchange within the City is constructed or reconstructed, a park and ride lot shall be considered.*

RESPONSE: No highway interchange is proposed. This criterion does not apply.

C. *Driveways.*

1. *Corner Clearance for Driveways. Corner clearance at signalized intersections and stop-controlled intersections, and spacing between driveways shall meet the standards of the Engineering Design Manual and Standard Drawings.*

RESPONSE: The project has been designed to meet all corner clearance requirements and access spacing requirements as shown on the plans submitted with the application. This criterion is met.

2. *Shared Driveway Access. Whenever practical, access to arterials and collectors shall serve more than one site through the use of driveways common to more than one development or to an on-site private circulation design that furthers this requirement.*

Consideration of shared access shall take into account at a minimum property ownership, surrounding land uses, and physical characteristics of the area.

Where two or more lots share a common driveway, reciprocal access easements between adjacent lots may be required.

RESPONSE: Access to arterials is limited to public street intersections. Access to Road A , the east-west collector street, is limited to SW Strobel Road and Street B, both neighborhood routes shown on Figure 10: Community Plan Street Framework of the SCMCP, and Street D, a local street. Local public street connections serve as access for the remaining single-family development area, and provide access to futures development to the south and west. This criterion is met.

3. *No new driveways for detached dwellings shall be permitted to have direct access onto an arterial or collector street except in unusual circumstances where emergency access or an alternative access does not exist. Where detached dwelling access to a local residential street or neighborhood route is not practicable, the decision-making authority may approve access from a detached dwelling to an arterial or collector.*

RESPONSE: No new driveways for detached dwellings are proposed directly onto an arterial or collector street. This criterion is met.

60.55.40. *Transit Facilities.* *Transit routes and transit facilities shall be designed to support transit use through provision of transit improvements. These improvements shall include passenger landing pads, accessways to the transit stop location, or some combination thereof, as required by TriMet and the City, and may also include shelters or a pad for a shelter. In addition, when required by TriMet and the City, major industrial, institution, retail, and office developments shall provide either a transit stop on site or a pedestrian connection to a transit stop adjacent to the site.*

RESPONSE: No transit facilities are identified or proposed adjacent to or within the site, either within Chapter 6 of the Comprehensive Plan or the SCMCP. This criterion is not applicable.

60.60. TREES AND VEGETATION.

60.60.10. *Types of Trees and Vegetation Regulated*

Actions regarding trees and vegetation addressed by this section shall be performed in accordance with the regulations established herein and in Section 40.90 of this Code. The City finds that the following types of trees and vegetation are worthy of special protection:

- 1. Significant Individual Trees.*
- 2. Historic Tree.*
- 3. Trees within Significant Natural Resource Areas.*
- 4. Trees within Significant Groves.*
- 5. Landscape Trees.*
- 6. Community Trees.*
- 7. Mitigation Trees.*

RESPONSE: The site contains Community Trees, trees located within a significant grove, and trees located within a significant natural resource area associated with the vegetated corridor of Wetland W-A. The actions regarding trees and vegetation will be performed in accordance with the regulations in this code section. Previously within this narrative, the applicant demonstrated compliance with Section 40.90. This criterion is met.

60.60.15 *Pruning, Removal, and Preservation Standards*

1. *Pruning Standards*

- A. It shall be unlawful for any person to remove or prune to remove a tree's canopy or disturb the root zone of any Protected Tree , except in accordance with the provisions of this Code.*

RESPONSE: Some of the trees being preserved on site and adjacent to the site may experience disturbance to the root zone and some pruning will occur as well. These activities are proposed in accordance with the provisions of this Code. This criterion is met.

- B. *All pruning of Protected Trees shall be done in accordance with the standards set forth in this section and the City's adopted Tree Planting and Maintenance Policy, also known as Resolution 3391.*

RESPONSE: All trees within the site to be preserved with the development will be pruned, if necessary, in accordance with the standards set forth in this section and The City's adopted Tree Planting and Maintenance Policy. The applicant has hired an arborist who has developed a report detailing protection measures of neighboring trees and on-site trees being preserved. This criterion is met.

2. *Removal and Preservation Standards*

- A. *All removal of Protected Trees shall be done in accordance with the standards set forth in this section.*

RESPONSE: Those trees being removed will be done in accordance with the standards set forth in this section. This criterion is met.

- B. *Removal of Landscape Trees and Protected Trees shall be mitigated, as set forth in section 60.60.25.*

RESPONSE: As described in the submitted arborist's report, Section 60.60.25.9 provides standards for mitigation. However, no mitigation is required if the total diameter of trees to be removed is less than or equal to 50% of the total diameter of surveyed trees located within SNRAs and Significant Groves. In this case, the total diameter of the 33 trees located within SNRAs and Significant Groves is 624 inches (refer to table included with attached inventory data). Three of these trees are planned for removal, accounting for 78 inches, or 13% of the total diameter. Therefore, no mitigation is required.

- C. *For SNRAs and Significant Groves, the following additional standards shall apply:*

- 1. *The minimum DBH of non-exempt surveyed trees that must be preserved on a site is as follows:*
 - a) *Multiple Use zoning districts: Fifteen percent (15%) of the DBH of non-exempt surveyed trees found on a project site.*
 - b) *Residential, Commercial, or Industrial zoning district: Twenty five percent (25%) of the DBH of non-exempt surveyed trees found on a project site*

RESPONSE: In this case, as described in the submitted arborist's report, the total diameter of the 33 trees located within SNRAs and Significant Groves is 624 inches (refer to table included with attached inventory data). Three of these trees are planned for removal, accounting for 78 inches, or 13% of the total diameter. This criterion is met.

2. *DBH to be retained shall be preserved in cohesive areas, termed Preservation Areas, when development is proposed in SNRAs or Significant Groves.*

RESPONSE: Those significant trees to be retained are located within the SNRA, which is contained within Tract B as Open Space. This area will be preserved and maintained in accordance with CWS requirements for sensitive area. This criterion is met.

3. *Native understory vegetation and trees shall be preserved in Preservation Areas.*

RESPONSE: Understory vegetation will be preserved and maintained within Tract B as Open Space. This area will be enhanced in accordance with CWS requirements to a good or better condition, preserving native vegetation and removing invasive. Regular maintenance will occur as part of CWS requirements. This criterion is met.

4. *Preservation Areas, conditioned for protection through the Development Review process, shall be preserved in clusters that are natural in appearance rather than in linear strips. Preservation Areas should connect with adjoining portions of the Significant Grove or SNRA on other sites.*

RESPONSE: The preservation area within this development is located within a long linear strip along the southeast portion of the site. This is, however, a result of the natural alignment of the SNRA, which adjoins larger areas of SNRA to the south to form a natural cluster. This criterion is met.

5. *Preservation Areas, conditioned for protection through the Design Review process, shall be set aside in conservation easements and recorded with a deed restriction with Washington County, unless otherwise approved by the City. The deed restriction shall prohibit future development and specify the conditions for maintenance if the property is not dedicated to a public agency.*

RESPONSE: The applicant is not requesting design review at this time. This criterion is not applicable to this application.

6. *Preservation Areas, conditioned for protection through the Land Division process, shall be set aside in tracts and recorded with a deed restriction with Washington County, unless otherwise approved by the City. The deed restriction shall prohibit future*

development and specify the conditions for maintenance if the property is not dedicated to a public agency.

RESPONSE: As described above, the preservation area within this development is located within a long linear strip along the southeast portion of the site. This is, however, a result of the natural alignment of the SNRA, which adjoins larger areas of SNRA to the south to form a natural cluster. This criterion is met.

7. *Within the development review process, where a person is presented with a particular decision whether to retain a native or non-native tree, the native species shall be retained provided all other considerations between the two categories of trees remain equal. Non-native tree species may also be retained for aesthetic, unique condition, size, and wildlife habitat purposes.*

RESPONSE: The 3 trees located within a significant grove are to be removed due to their conflict with structures, which is not impacted by their classification as native or non-native trees, therefore no decisions have been based on this criterion.

8. *Hazardous and dead trees within Significant Groves and SNRAs should be fallen only for safety and left at the resource site to serve as habitat for wildlife, unless the tree has been diagnosed with a disease and must be removed from the area to protect the remaining trees.*

RESPONSE: As none of the trees to be removed due to hazards or condition are located in a Significant Natural Resource Area or a Significant Grove, this criterion does not apply.

60.60.20. *Tree Protection Standards During Development*

1. *Trees classified as Protected Trees under this Code shall be protected during development in compliance with the following:*
 - A. *A construction fence must be placed around a tree or grove beyond the edge of the root zone. The fence shall be placed before physical development starts and remain in place until physical development is complete. The fence shall meet the following:*
 1. *The fence shall be a four foot (4') tall orange plastic or snow fence, secured to six foot (6') tall metal posts, driven two feet (2') into the ground. Heavy 12 gauge wire shall be strung between each post and attached to the top and midpoint of each post. Colored tree flagging indicating that this area is a tree protection zone is to be placed every five (5) linear feet on the fence to alert construction crews of the sensitive nature of the area.*

2. *Other City approved protection measures that provide equal or greater protection may be permitted, and may be required as a condition of approval.*

RESPONSE: The 30 trees planned for retention will need special consideration to assure their protection during construction. Accordingly, the applicant's arborist has provided tree protection recommendations consistent with the requirements of 60.60.20.1.A.1.

B. Within the protected root zone of each tree, the following development shall not be permitted:

1. *Construction or placement of new buildings.*
2. *Grade change or cut and fill, except where hand excavation is approved with the submittal of an arborist's report, as part of application approval.*
3. *New impervious surfaces.*
4. *Trenching for utilities, irrigation, or drainage.*
5. *Staging or storage of any kind.*
6. *Vehicle maneuvering or parking*

RESPONSE: Some of the activities listed above for the trees being protected on-site will occur in accordance with the City adopting recommendations for protection by the Project Arborist. Otherwise, the trees would needlessly have to be removed.

60.60.25. Mitigation Requirements

1. *The following standards shall apply to mitigation for the removal of Significant Individual Trees or trees within Significant Groves or SNRAs.....*

RESPONSE: As described in response to 60.60.25 (2) below, no mitigation is required, therefore this criterion is not applicable.

2. *Mitigation for the removal of trees from Significant Groves or SNRAs shall be required as follows:*

A. Calculate the total DBH of the trees to be removed. Denote both deciduous and coniferous trees in separate tables; however, both tables will result in the sum total of the DBH to be removed.

B. If the total DBH of trees to be removed is less than or equal to 50% of the total DBH of surveyed trees on the site, then no mitigation is required for the trees to be removed.

C. If the total DBH of trees to be removed is greater than 50% of the total DBH of surveyed trees on site, then mitigation is required for the amount of DBH to be removed that exceeds 50% of the total DBH of surveyed trees on site. For

example, if 75 inches is the total amount of DBH to be removed from a site and 60 inches of DBH represents 50% of the total surveyed DBH, then 15 inches of DBH is the total required amount of mitigation.

RESPONSE: As described in the submitted arborist's report, no mitigation is required if the total diameter of trees to be removed is less than or equal to 50% of the total diameter of surveyed trees located within SNRAs and Significant Groves. In this case, the total diameter of the 33 trees located within SNRAs and Significant Groves is 624 inches (refer to table included with attached inventory data). Three of these trees are planned for removal, accounting for 78 inches, or 13% of the total diameter. Therefore, no mitigation is required.

3. *In addition to the requirements listed in Section 60.60.25.1. Mitigation Requirements, the following mitigation requirements shall apply for the removal of trees from Significant Groves or SNRAs.....*
4. *Significant Grove or SNRA on-site mitigation, 2:1 planting ratio.....*
5. *Significant Grove or SNRA off-site mitigation, 1:1 planting ratio.....*
6. *Significant Grove or SNRA Tree Plan 3 mitigation, 1:1 planting ratio.....*
7. *In-Lieu fee. If the total caliper inch on-site- or off-site tree planting mitigation does not equal the DBH inch removal or if no tree planting mitigation is proposed, the remaining or total caliper inch tree planting mitigation shall be provided as a fee in-lieu payment. The in-lieu fee shall be specified in the Community Development In-Lieu Fee schedule. Fee revenues shall be deposited in the City's Tree Mitigation Fund.....*

RESPONSE: As described in the submitted arborist's report, no mitigation is required if the total diameter of trees to be removed is less than or equal to 50% of the total diameter of surveyed trees located within SNRAs and Significant Groves. In this case, the total diameter of the 33 trees located within SNRAs and Significant Groves is 624 inches (refer to table included with attached inventory data). Three of these trees are planned for removal, accounting for 78 inches, or 13% of the total diameter. Therefore, no mitigation is required.

8. *In addition to the standards in Mitigation Standards 1, the following standards shall apply to mitigation for the removal of a Significant Individual Tree:.....*
9. *The following standards apply to the replacement of a Landscape Tree:.....*

RESPONSE: As described in the submitted arborist's report, no mitigation is required if the total diameter of trees to be removed is less than or equal to 50% of the total diameter of surveyed trees located within SNRAs and Significant Groves. In this case, the total diameter of the 33 trees located within SNRAs and Significant Groves is 624 inches (refer to table included with attached inventory data). Three of these trees are planned for removal, accounting for 78 inches, or 13% of the total diameter. Therefore, no mitigation is required.

60.65. UTILITY UNDERGROUNDING.

60.65.15. *Regulation.* *All existing and proposed utility lines within and contiguous to the subject property, including, but not limited to, those required for electric, communication, and cable television services and related facilities shall be placed underground as specified herein. The utilities required to be placed underground shall be those existing overhead utilities which are impacted by the proposed development and those utilities that are required to be installed as a result of the proposed development.*

RESPONSE: All utilities serving the site will be located underground as required. Plans submitted with the application show existing and proposed locations of utilities and required easements, where necessary. This criterion is met.

60.67. SIGNIFICANT NATURAL RESOURCES.

60.67.05. *Local Wetland Inventory.* *Prior to issuing a development permit, the Local Wetland Inventory map shall be reviewed to determine if the site proposed for development is identified as the location of a significant wetland.*

1. *Development activities and uses permitted on a proposed development site identified as the possible location of a significant natural resource, including significant wetlands shall be subject to relevant procedures and requirements specified in Chapter 50, of this ordinance.*

RESPONSE: As described in response to SCMCP Natural Resource Policy 1: Local Wetlands and Riparian Areas, the South Cooper Mountain Annexation Area Local Wetland Inventory (LWI) for the City of Beaverton maps palustrine forested (PFO) wetland along the southeastern boundary of the project area, extending off-site, and a very small wetland mapped in the area of the swale topography in the northeast end of the site as a “probable” palustrine emergent (PEM) wetland. The National Wetlands Inventory maps wetlands off-site to the southeast but none on-site.

As identified in the Site Assessment prepared by the applicant’s wildlife biologist, ES&A, three Sensitive Areas are located on-site, Wetlands A and B and Waters A. Wetlands A and B occur along the southeastern property boundary of TL 302 and extend off-site to the southeast where they are likely connected. Waters A is located in the northeastern portion of the project site north of the off-site PFO wetland. These areas are identified on the LWI as a part of South Cooper Mountain Annexation Area Wetland A (W-A).

Both Wetland A and Wetland B, and Waters A, as delineated by ES&A, will be located and protected within proposed Open Space Tract B, along with the associated vegetated corridor areas.

An additional area of Upland Wildlife Habit Classes A and C are identified by the SCMCP, located to the west of SW Strobel Road, at the southwestern corner of the site. These areas were

not delineated by ES&A as containing upland habitat areas, as the habitat has been highly modified through prior tree removal and other pastoral farming activities. Additionally, this area will be cut off from the larger wetland (W-A) and associated riparian areas to the east by the future construction of SW Strobel Road to City standards. In accordance with the staff response to Statewide Planning Goal 5 – Urbanization in CPA2014-0011, CPA2014-0012, and TA2014-0002, dated December 3, 2014:

The South Cooper Mountain Community Plan is subject to the requirements of Metro's Title 13. The South Cooper Mountain Natural Resources Memo of June 2013 (Exhibit 11) included review of the Community Plan area relative to Title 13 resources and on page 6 states "Following Metro mapping methods, all areas within 300 feet of streams or wetlands were mapped as well, whether they currently contain native habitat (Class A or B), or are occupied by agricultural lands or nonnative grasslands (Class C)."

Based on the current condition of the resource, it is presumed that the area of Upland Wildlife Habit Classes A and C were designated as Upland Habitat Area based on their location within 300 feet of probable wetland PW-I in the South Cooper Mountain LWI. However, it is noted that PW-I is slated for residential development with up to 24 lots within The Ridge at South Cooper Mountain development, and will cease to exist as currently mapped as a "probable wetland". This serves to further diminish the habitat values associated with this area, such that they cannot be considered to provide conservation values, and are not delineated by ES&A as containing upland habitat areas. It is noted, however, that the mapped area remains applicable in the calculation of required passive open space areas for the site.

2. *Upon City's determination that a site contains wetland as identified on the Local Wetland Inventory map, notice of the proposed development shall be provided to the Division of State Lands (DSL) in a manner and form prescribed by DSL pursuant to ORS requirements.*

RESPONSE: DSL concurrence with the applicant's wetland delineation has been received for the site, and is included with this application.

60.67.10. Significant Riparian Corridors. *Prior to issuing a development permit, the list of Significant Riparian Corridors shall be reviewed to determine if the site proposed for development is identified as being listed corridor.*

1. *Development activities and uses permitted on a proposed development site identified as the possible location of a significant natural resource, including significant riparian corridors, shall be subject to relevant procedures and requirements specified in Chapter 50 of this ordinance.*

RESPONSE: Based on CWS requirements, the width of vegetated corridor on the site associated with Wetland W-A was determined to be 50-feet wide due to the adjacent slopes being less than 25% and Sensitive Areas not being isolated. The total area of vegetated corridor is 49,908-SF (± 1.15 acres) on site. Two vegetated corridor plots were taken to identify the condition of the vegetated corridor which is in marginal (11,334 SF) and degraded (38,574 SF) condition. The

vegetated corridor areas are identified in Figure 12 as including Upland Wildlife Habit Classes A, B, and C, and will be preserved and enhanced in accordance with CWS requirements.

CONCLUSION: The application demonstrates compliance with the applicable standards of the Beaverton Comprehensive Plan, the SCMCP, and Chapters 10, 20, 40, 50 and 60 of the City of Beaverton Development Code, as noted within this narrative. The applicant respectfully requests the City's approval of the request for a 238 Unit Planned Unit Development (139 Single-Family Detached Units, & 99 Single-Family Attached Units), "Scholls Valley Heights", including a Comprehensive Plan Amendment to adjust plan designations, a Zoning Map Amendment to allocate zoning districts, a 238-Lot Land Division, a Concurrent 7-Lot Land Division, a Tree Plan Two, and a Sidewalk Design Modification.